FORD MOTOR COMPANY’S RECALL OF CERTAIN FIRESTONE TIRES

JOINT HEARING
BEFORE THE
SUBCOMMITTEES ON
COMMERCE, TRADE, AND CONSUMER PROTECTION
AND
OVERSIGHT AND INVESTIGATIONS
OF THE
COMMITTEE ON ENERGY AND
COMMERCE
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTH CONGRESS
FIRST SESSION
JUNE 19, 2001
Serial No. 107–45

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(III)
FORD MOTOR COMPANY’S RECALL OF CERTAIN FIRESTONE TIRES

TUESDAY, JUNE 19, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
SUBCOMMITTEE ON COMMERCE, TRADE AND CONSUMER PROTECTION, JOINT WITH
SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS
Washington, DC.

The subcommittees met, pursuant to notice, at 10:35 a.m., in room 2123, Rayburn House Office Building, Hon. Cliff Stearns (chairman of the Subcommittee on Commerce, Trade, and Consumer Protection) presiding.

Members present Subcommittee on Commerce, Trade, and Consumer Protection: Representatives Stearns, Upton, Deal, Whitfield, Shimkus, Bryant, Pitts, Terry, Tauzin (ex officio), Towns, Capps, Doyle, Harman, Markey, Gordon, Deutsch, and Dingell (ex officio).

Members present Subcommittee on Oversight and Investigations: Representatives Greenwood, Stearns, Burr, Whitfield, Tauzin (ex officio), Deutsch, Stupak, Strickland, and Dingell (ex officio).

Also present: Representative Sawyer.

Staff present: Thomas DiLenge, majority counsel; Kelly Zerzan, majority counsel; Ann Washington, majority counsel; Jennifer Safavian, majority counsel; Will Carty, legislative clerk; Peter Kiely, legislative clerk; Edith Holleman, minority Counsel; M. Bruce Gwinn, minority professional staff member; and Christopher H. Knaver, minority investigator.

Mr. STEARNS. Good morning. The joint committees will come to order. Welcome to the joint Commerce, Trade, and Consumer Protection Subcommittee and Oversight and Investigations Subcommittee, hearings to discuss the issue of Ford’s recall of certain Firestone tires.

I welcome all of our distinguished witnesses, including Mr. Nasser, the President and CEO of Ford Motor Company; and Mr. Lampe, President and CEO of Bridgestone/Firestone, Incorporated; and the Honorable Michael Jackson, Deputy Secretary of the Department of Transportation.

It has only been 8 months since the committee last visited the issue of tires. Last September, we held hearings on Firestone’s recall of its Wilderness ATX and ATX II and certain Wilderness tires due to their excessive propensity to detread in high rates of speed.

This year our committee examines the tire issue again. Although this hearing does not present such clear cut facts, we are confronted with a most unusual situation, where one company is re-
calling the product of another company. The day after Firestone rejected Ford's request to recall additional tires and declared its decision to end its relationship with Ford, a historic American corporate partnership dating back 100 years, Ford Motor Company decided to voluntarily recall all Firestone Wilderness AT tires on all of its vehicles, encompassing a total of 13 million tires at a cost of nearly $3 billion.

Why a recall? What prompted this replacement program? Ford tells us that this significant action was warranted based on increasing tire claim rates for certain Firestone Wilderness AT tires and on Ford's own laboratory testing. Firestone, on the other hand, tells us that the Firestone Wilderness AT tire performed similar to competitors in its own testing, and that some of the tires being replaced by Ford have little to no tire claims. Further, Firestone publicly questions the stability of the Ford Explorer, the vehicle in which most of the tire claims have taken place.

To prove their case, both companies have conducted tests, performed experiments and hired experts. Both companies have loaded us with charts, statistics and diagrams. Unfortunately, when asked the same questions, the companies respond with two different answers. The information presented by both Ford around Firestone is typically contradictory and incompatible. But the one conclusion that cannot be questioned is that there is an increase in consumer confusion. The position of Ford and Firestone necessarily reflects their different vantage points, influenced by shareholders' profits, motives and litigation considerations.

My point is this: We cannot rely solely on Ford and Firestone to provide us with all this information, and we can't expect the American consumer to do the detailed and lengthy analysis that is necessary to reach a conclusion.

That is specifically why we have a government agency dedicated to automobile safety, namely the National Highway Traffic Safety Administration, or NHTSA. Pursuant to statute, NHTSA's mandate is to carry out safety programs under the National Traffic and Motor Vehicle Safety Act of 1996 and the Highway Safety Act of 1966. Specifically NHTSA is responsible for, among other things, reducing deaths, injuries and economic losses resulting from motor vehicle crashes by setting and enforcing safety performance standards and investigating safety defects in motor vehicles.

Therefore, we must look to the agency expert in these issues for guidance, and we are fortunate to have honorable Michael Jackson, Deputy Secretary of the Department of Transportation, here to testify, accompanied by NHTSA personnel. However, it is my understanding that while NHTSA has been investigating these tire issues since last year, the agency has not reached any final result and will not be providing us today with any firm conclusions. In fact, NHTSA's investigation is not expected to conclude until later this summer, but meanwhile, there are a number of outstanding safety issues. What is the proper failure rate for tires? Is there a baseline upon which all tires should be judged, what are what other factors should we be relying on to determine whether tires are strong and stable? In other words, what is safe? And just as important, is NHTSA prepared to implement the law passed by this committee in response to the Ford Firestone problem, the
TREAD Act? Under the TREAD Act, truckloads of information will soon be deposited on NHTSA's doorstep. Is the agency prepared to utilize this information to effectively protect the driving public?

All of these questions deserve answers, and I hope NHTSA is prepared to offer conclusions soon. American citizens pay taxes for government services. NHTSA provides a service and NHTSA's customers, the U.S. taxpayers, are not getting the answers they paid for.

Unfortunately, in the absence of NHTSA's independent analysis to analyze the Ford and Firestone positions, many parties will pay a price. The effect of this voluntary recall has far-reaching ramifications well beyond the parties involved. Not only does this recall affect Ford and Firestone, but the recall also affects car manufacturers whose customers will question the safety of Firestone Wilderness AT tires on their own vehicles. And the recall affects other tire companies who must change production patterns to make replacement tires for Ford's vehicles.

Caught in the middle is the consumer, who is questioning whether Firestone tires are safe and whether the Ford Explorer is stable? But in debating this issue, it is all too easy to focus on the individual parts and miss the big picture. We are here to protect the American consumer from both detreaded tires and allegation from unfounded fears arising from conflicting information. This hearing is designed to produce information that the customer can use to best educate him or herself.

I thank the chairman of the Oversight Investigation Subcommittee, Chairman Greenwood, for jointly hosting this hearing, and I look forward to hearing from our witnesses. At this, the ranking member—acting ranking member—for an opening statement, Mr. Dingell, the ranking member of the full committee.

Mr. Dingell. Mr. Chairman, I thank you for your kindness in recognizing me, and I want to thank you for this important hearing. This is the second time in a year that the committee is considering safety problems involving Firestone tires. Last year, the Ford Motor Company determined from information it requested and received from Firestone that there were an unusually high number of claims, fatalities and injuries resulting from——

Mr. Stearns. Mr. Dingell, is your microphone on?

Mr. Dingell. As best I can determine, Mr. Chairman.

Mr. Stearns. I am just having a little trouble hearing, that is all.

Mr. Dingell. Should I get closer?

Mr. Stearns. Yes. There you go.

Mr. Dingell. At Ford's insistence, Firestone then recalled 6.5 million tires, including all ATX tires produced for the Explorers. In addition, Ford found that the claims were so high for other Explorer tires that Firestone produced in Decatur, Illinois that Firestone also had to recall 15-inch Wilderness AT tires produced for Ford at that plant.

With new information it received from Firestone on May 11 of this year, Ford determined that last year's recall did not take care of the problem. Instead, there are rapidly growing number of Firestone claims involving Explorer tires that are not recalled last year. The data received in May show that there have been 110 tread sep-
aration claims involving Firestone's Wilderness AT tires compared with only 27 claims in the data provided to Ford last August. During this same period of time, crash claims have gone from 0 to 20, moreover, claims from 0 to 11, injury claims from 0 to 22 and fatal-ity claims from 0 to 7.

Seeing in this new data the same safety concerns and trends that caused last year's recall, Ford announced on May 22nd its Firestone tire replacement program. This is not a recall, because Ford did not make the tires. Under this replacement program, Ford will either replace or reimburse vehicle owners for the replacement of 13 million Firestone tires. Ford estimates that it will take 9 months, as much as $3 billion to complete the Firestone tire replacement program.

Ford's action has sparked a lot of finger pointing, but the public rightly wants to know whether the tires on their vehicles are safe, and they are entitled to know that. Are the tread separations Ford has identified unique to Firestone tires, or do other tires have similar problems?

Is Firestone continuing to produce tires that endanger the public safety? Are there particular Firestone manufacturing facilities that are producing bad tires? Should tread separation be viewed as a foreseeable event, as some have suggested? Unfortunately, the one best able to answer these and other important questions has yet to be heard from. The National Highway Traffic Safety Administration began its investigation of the 47 million ATX, ATX II and Wilderness tires manufactured by Firestone more than a year ago. It has yet to complete its testing and analysis. It is probably months away from issuing its report and findings.

At this time, NHTSA's task is made more difficult by the fact that it has no permanent or even acting administrator, something which must be cured quickly. The administration needs to give its attention to getting control of this agency and having it complete its work in an efficient and timely manner. Both Ford and Firestone have provided huge quantities of information to the committee and NHTSA. Particularly instructive is the data on the performance of Firestone and Goodyear tires when about an equal number of tires from each manufacturer were put on Explorers in model years 1995, 1996 and 1997.

Through the end of last year, data for these model years that Ford received from Firestone reveals that there have been 1,183 claims involving tread separations on the Firestone tires, and only two claims involving tread area problems on Goodyear tires. Furthermore, the two Goodyear tire claims were for property damage only. No deaths injuries or lawsuits were involved. And according to Goodyear, these claims may have involved nothing more serious than a puncture, rather than total tread separations that have occurred on Firestone tires.

Goodyear says its tires hold up as well on the Explorer as on other vehicles. From 1996 through the year 2000, Goodyear says 87.7 million of its tires have been used on SUVs other than Explorers, light trucks, minivans and station wagons. And during that time, Goodyear has had no tread separation claims involving deaths, injuries or lawsuits.
However, the data tells quite a different story for the Firestone tire. Tread separation claims involving the Firestone tire on the Explorer have continued to grow. Ford’s analysis of the data it received from Firestone in May shows that in the fifth year of use, the 16-inch Wilderness AT tire produced at Firestone’s Wilson, North Carolina plant has an extremely high tread separation rate of 450 claims per million tires.

So why is there such a big difference in the claims rates for Goodyear and Firestone tires? It has been suggested that Ford shipped many more Explorers equipped with Firestone tires to hot-weather States than did Explorers equipped with Goodyear tires. Sounds possible, but it doesn’t appear to be true. In model years 1995 through 1997, Ford says it shipped 95,000 Explorers with Firestone tires and 85,000 Explorers with Goodyear tires to hot weather states, Arizona, Florida, Louisiana, Mississippi, Nevada and Texas. Although most tread separation claims have come from hot weather States, not a single one of these claims involve death, injury or a lawsuit attributable to a Goodyear tire on the Explorer vehicle.

It has also been suggested that there is something unique about the Explorer that causes tread separation. Again, Firestone’s own claims suggest otherwise. There has been a substantial number of tread separations that have occurred on Firestone tires, like those used on the Explorer when these tires have been installed as aftermarket tires on other non-Explorer SUVs, including the Toyota Forerunner, the Nissan Pathfinder and the Mitsubishi Montero, and on the Isuzu Rodeo.

Ford’s analysis has raised questions about Firestone’s manufacturing quality control. The peel strength of the rubber Firestone used to make its tires and the durability of its tires all were found to vary from plant to plant. Perhaps most importantly, the amount of rubber in the critical wedge area of Firestone’s 15 and 16 Wilderness tires was found to vary by plant. Of the plants most recently producing tires for Ford, the wedge rubber was smallest at Wilson, North Carolina plants and thickest at the Aiken, South Carolina plant. Firestone’s Joliette, Canada plant ranked somewhere between the other two. However, all Firestone plants produce tires with less rubber in the wedge stone area than Goodyear.

In conclusion, Mr. Chairman, given the information it had, I find no problem with Ford having taken the action it did. In fact, for Ford not to have replaced these tires would have raised serious questions in the mind, I think, of the public, that proper safety and other concerns of customers were being served.

Again, I thank you, Mr. Chairman, for holding this hearing, and I look forward to hearing the statements of the witnesses.

[The prepared statement of Hon. John D. Dingell follows:]
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Seeing in this new data the same safety concerns and trends that led to last year's recall, Ford announced on May 22nd its "Firestone Tire Replacement Program." This is not a recall, because Ford did not make the tires. Under this replacement program, Ford will either replace or reimburse vehicle owners for the replacement of 13 million Firestone tires. Ford estimates it will take nine months and as much as $3 billion to complete the Firestone tire replacement program.

Ford's action has sparked a lot of finger pointing, but the public rightly wants to know whether the tires on their vehicles are safe. Are the tread separations Ford has identified unique to Firestone tires, or do other tires have similar problems? Is Firestone continuing to produce tires that endanger the public's safety? Are there particular Firestone manufacturing facilities that are producing bad tires? Should tread separation be viewed as a "foreseeable" event, as some have suggested?

Unfortunately, the one best able to answer these and other important questions has yet to be heard from. The National Highway Traffic Safety Administration (NHTSA) began its investigation of about 47 million ATX, ATXII, and Wilderness tires manufactured by Firestone more than a year ago. It has yet to complete its testing and analysis, and is probably months away from issuing its report and findings. At this time, NHTSA's task is made even more difficult by the fact that it has no permanent, or even acting, administrator. The Administration needs to give its attention to getting control of this agency and having it complete its work in an efficient and timely manner.

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However, the data tells quite a different story for the Firestone tire. Tread separation claims involving the Firestone tire on the Explorer have continued to grow. Ford's analysis of the data it received from Firestone in May shows that in the fifth year of use, the 16-inch Wilderness AT tire produced at Firestone's Wilson, North Carolina, plant has an extremely high tread separation claims rate of about 450 claims per million.

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It has also been suggested that there is something unique about the Explorer that causes tread separations. Again, Firestone's own claims data would suggest other-
wise. There has been a substantial number of tread separations that have occurred on Firestone tires like those used on the Explorer, when those tires have been installed as "aftermarket" tires on other non-Explorer SUV's, including the Toyota 4 Runner, the Nissan Pathfinder, the Mitsubishi Montero, and the Isuzu Rodeo.

Ford's analysis has also raised questions about Firestone's manufacturing quality control. The peel strength of the rubber Firestone used to make its tires and the durability of its tires all were found to vary from plant to plant. Perhaps, most importantly, the amount of rubber in the critical wedge area of Firestone's 15- and 16-inch Wilderness AT tire was found to vary by plant. Of the plants most recently producing tires for Ford, the wedge rubber was smallest at the Wilson, North Carolina, plant and thickest at the Aiken, South Carolina, plant. Firestone's Joliette, Canada, plant ranked in between the other two. However, all Firestone plants produced tires with less rubber in the wedge area than Goodyear.

In conclusion, Mr. Chairman, given the information it had, I find no problem with Ford having taken the action it did. In fact, for Ford not to have replaced these tires, would raise far more serious questions in my mind about their commitment to public safety and the customers they serve.

Again, I want to thank you, Mr. Chairman, for holding this hearing, and I look forward to hearing the statements of the witnesses.

Mr. STEARNS. I thank my colleague. And now for an opening statement, the distinguished chairman of the Subcommittee on Oversight and Investigations.

Mr. GREENWOOD. Thank you, Mr. Chairman. We are here today because 203 people have died in automobile accidents involving certain Firestone tires, mostly fitted on Ford Explorers. To date, no one has provided the American people with a definitive answer as to why those deaths occurred. A number of months ago, both Ford Motor Company and the Bridgestone Firestone, Inc. company agreed to a recall of more than 6.5 million tires. And at that time, both companies told the American public and this Congress that the first recall was adequate in scope and did not need to include any additional Wilderness AT tires.

As recently as December of last year, after what both manufacturers described as extensive testing and analysis, the companies issued root cause findings, once again concluding that no further recall of the Wilderness AT was required.

That, of course, was good news for America's consumers, and these two companies, since they had been replacing many of the recalled tires with the same product from plant—plants other than Firestone's Decatur facility, whose products had been judged to be unsafe.

Now nearly 6 months later, Ford has come forward to say that it does indeed have a safety concern about additional Wilderness AT tires, particularly the 15 and 16-inch tires that were use primarily on the Ford Explorer, and that were used as replacement tires during last year's recall. It argues that the new claims data provided by Firestone in May of this year show an increasing trend in claims, accidents and injuries involving these two tire lines.

Ford also says that its laboratory testing of these tires and competitor tire lines reveals significant differences in durability that further support its recall action.

We are now told that on the strength of these discoveries and after $30 million in testing, the Ford Motor Company felt compelled to recall roughly 13 million Firestone Wilderness AT tires from its vehicles, a $3 billion business decision that has set off a fire storm of charges and countercharges between these two companies.
Just last month, Bridgestone/Firestone announced that it was severing its nearly 100-year-old history with the Ford Motor Company. Clearly, the stakes are high for both of these companies. Industry analysts are already openly suggesting that Ford replace the name Explorer with a new brand name, even though this product is the best-selling sport utility vehicle on the market. Nor is Firestone immune from this kind of treatment. Some in the industry are busy suggesting that the venerable brand name of Firestone be retired.

But if the stakes are high for these two companies, they are even higher for America's consumers. These events have raised much broader questions about the safety in general, their safety in general, the relationship of tires to their vehicle systems and possible design flaws in the rollover of compact SUVs. Even more important, for our purposes, the fallout of these events has led to increased concern about the role of the National Highway Traffic Safety Administration, NHTSA plays in ensuring the safety of cars, trucks and automotive products.

Last year, we learned how NHTSA initially failed to investigate seriously the claims surrounding this issue but subsequently leaped into the fray by issuing a consumer advisory last Labor Day weekend, which focused on a long list of other Firestone tire lines. NHTSA took this action, we are told, because claims rates on these products had reached the threshold of 12.6 claims per million tires produced. Whether this claim rate was about normal or a clear indication of a safety concern were several of the factors that NHTSA failed to establish before announcing this advisory. More disturbing, still, it is our own understanding that NHTSA is now in possession of data showing claims rates of a similar or greater value on other tire lines, including those from both Firestone and other tire manufacturers, and yet remains silent on the potential or perceived risk, if any, to consumers of those products.

This inability of the Federal agency charged with protecting consumers to get the facts and to get them first has allowed the situation to deteriorate into the public relations equivalent of a shouting match between these two manufacturers, and the role of honest broker, which is precisely the mission of NHTSA, has been surrendered to two very threatened firms, whose data, even if correct, appears to have been manipulated in the way that makes their individual conclusions highly suspect.

The committee's review of the actual Ford tests raises important questions about whether comparable tests were, in fact, run. For example, it appears Ford left off its peel strength chart, the results from some of Firestone's newer tires, which scored higher than comparable Michelin tires and much closer to the tested Goodyear tires, and nearly all of the Firestone tires Ford tested had been used, either on road—or road or as spares. In hot States, while the Michelin Goodyear tires tested were either all new or of uncertain prior use.

These differences certainly raise questions about the methodology and possibly the results as well. Similar questions arise with respect to the largest testing procedure utilized by Ford, its rig tests, in which it placed a tire on the laboratory wheel and ran it at varying speeds, air pressures, loads and ambient temperatures.
The way these rig test results were presented to the committee could be considered as misleading, given that Ford disaggregated the Firestone results by plant, while aggregating three Goodyear plants into one plotted column, while also aggregating the 16 and 15-inch tire results, which made the percentage of the overall failure rate of Goodyear products much smaller, while allowing the difference between the two sets of tires to appear more stark. Combined with the differences in how the tests themselves were conducted, the aggregation issue becomes even more problematic.

Firestone, too, has its own set of findings based on questionable assumptions and parameters. For example, Firestone has been very vocal lately in claiming that the Explorer is more than twice as likely as other SUVs to roll over, following a tire failure. Yet, when we asked for the actual data underlying the statistic and the confidence bounds associated with it, we learn that Firestone included all other SUVs, regardless of whether they were truly comparable in size to the Explorer. We also found that the two State data bases that Firestone relied on to contain a very small sample size of accidents that fit Firestone’s queries, leading to a large—to large ranges in possible statistical outcomes.

Indeed, the data could just as easily be read to find only a minimal and questionable increase in rollover associated with the Explorer, not the dramatic twice as likely Firestone touts publicly. In making these observations, I am not suggesting that either company intentionally set out to mislead this committee or the American public, but we would be derelict in our duty if we did not keep in mind that in the heat of this very public and high-stake battle, both companies may be expected to produce their analyses in ways that strengthen their own positions.

It is for that reason that until credible tests are done, the American consumer will not know the full truth of this matter and this brings us again to NHTSA.

As Chairman Tauzin previously observed, there are serious questions about whether NHTSA’s current testing program will prove any more fruitful than Ford’s or Firestone’s in ultimately answering the many unanswered questions that remain. And that is totally unacceptable.

Our role here is not to advance the interests of one company over another or one product over another. Our role is to protect the interests of America’s consumers. NHTSA is our agent in this enterprise, and they must do the hard work to help us find honest answers. In that regard, allow me to give some useful advice to the folks from NHTSA, which also may be appropriate for the management teams at Ford and Firestone. “Failure is the opportunity to begin again more intelligently.” The man who said that knew something about success and failure and automobiles. He was Henry Ford. Thank you, Mr. Chairman.

Mr. STEARNS. I thank my colleague. The ranking member of the Subcommittee on Oversight and Investigations, Mr. Deutsch.

Mr. DEUTSCH. Thank you, Mr. Chairman, for holding this hearing. The tragedy that brings us here today is one of the worst in auto safety history. As of yesterday, 203 people have died in the United States because the tread has separated on a Firestone tire. Most of those tires were on the Ford Explorers. Dozens more have
been—dozens more have died in other countries and hundreds have sustained permanent injuries.

To put this into perspective, when Firestone recalled the Firestone 500 tire in 1978, 34 people have died. In my State of Florida, one of the hot States in which the tire has failed most often, more than 28 people have died, almost as many as in the Firestone 500 recall, and more than 130 have been injured. Who is responsible? Firestone has already admitted responsibility, but Firestone has said that Ford should share responsibility, because the Explorer design causes excessive rollovers. Ford says it is the tire alone. Over the past few weeks, we have all been subjected to dueling statistics provided by Ford and Firestone. Unfortunately, we cannot resolve these disputes here.

However, in Florida, our attorney general is leading an investigation of both Ford and Firestone for all 50 State attorney generals. The primary allegation is that Firestone engineered a bad tire in part because Ford kept demanding changes in the tire to make the Explorer more stable, while maintaining the rolling resistance and fuel economy of other tires.

The tire pressure was lowered and the weight of the tire was reduced by removing material, but the design of the vehicle was not changed. As part of its new safety campaign, Ford is now courting Goodyear tires. It is important to note that the Explorer was previously equipped with Goodyear tires from 1995 to 1997. In documents submitted for the record, however, Ford terminated its relationship with Goodyear due to cost concerns.

Florida’s attorney general is also concerned that the companies did not disclose the tire failure problems in other countries to U.S. regulators and the American public. When the Firestone tires began to fail in Venezuela and Saudi Arabia in 1997 and 1998, we learned in the earlier hearings, that both Ford and Firestone kept the American consumer from knowing about the defective tires which were recalled in those countries.

Communications documenting these disclosure problems were included in the record of our hearing last fall, and a few additional ones have been submitted for the record today. We will hear a lot of conflicting evidence today, but who are we and the American people to believe? Last fall, the committee was told that the defective ATX tire came from only one Firestone plant in Decatur, Illinois, but that all ATX tires and Wilderness AT tires made in Decatur would be recalled. We were told the Wilderness ATs not made in Decatur were safe.

However, in December of 2000 in deposition, Ford’s chief quality control officer stated that none of the Wilderness 15-inch ATs were robust tires that could be expected to perform under variations in inflation, pressures, load and speed. At the same time, both companies issued root cause analysis suggesting that the defective tires came only from one plant, despite the fact that all the tires used identical engineering and materials. But Firestone’s experts found belt edge cracks in tires from all plants, and Ford indicated tire design was a problem.

By January, auto safety advocates were calling for a broad recall. Today we are being told the same by Ford, while Firestone also blames the Explorer’s design. And what has the National Highway
Transportation Safety Administration been doing while this debate is going on? We are still waiting for its own analysis, which I hope will be completed before the end of the hot season. Unfortunately, in most cases, excessive accidents, injuries, lawsuits and consumer's responses have removed questionable vehicles from the road, not the Federal agency charged with protecting motorists and passengers.

I want to add a few comments about the stability of sports utility vehicles, including the Explorer. SUVs, by definition, have a rollover problem. SUV manufacturers work to engineer against this propensity, but the consumer should have access to reliable and objective rollover data. I would like to encourage NHTSA to move quickly, and with the rollover consumer information effort we mandated in the TREAD Act, so the public can make informed vehicle choices.

Thank you, Mr. Chairman.

Mr. STEARNS. I thank my colleague.

Now we will recognize for an opening statement the chairman of the full committee, the gentleman from Louisiana, Mr. Tauzin.

Chairman TAUZIN. Chairman Stearns and Chairman Greenwood, I want to thank you both and the ranking members for this hearing today, because it represents one of the most important hearings, I think, in our Congressional season. It continues this extraordinary inquiry that our investigators are making and that hopefully NHTSA will complete soon on the question of why 203 Americans had to lose their lives on the highways, when Ford and Firestone, and apparently many people in our Federal agency, knew for years that there were problems with Firestone tires on Explorers and very little was done until very recently to get those tires off the highways.

As you know, we conducted two hearings last year after Ford and Firestone jointly then announced the recall of more than 6 million of those tires, fitted primarily on the popular Ford Explorer. It was partly in response to those hearings that Chairman Upton and this committee held that Congress passed the TREAD Act last October. That Act requires NHTSA to start collecting information on claims and lawsuits, and more importantly, not to wait till the body count accelerates, but to do extensive testing to ensure that design and preproduction phases of tire production give us information as to whether tires should ever be put on the marketplace in the first place.

Now, it is against that backdrop that we are here today, because we are faced with a most extraordinary circumstance today. Normally NHTSA issues a mandatory recall on NHTSA’s data, convinces a manufacturer to do a voluntary recall. Today, Ford has announced essentially a recall, a replacement of another company's products. That is extraordinary and unusual, and because it involves 13 million Firestone tires, it again raises some rather unique questions for this committee and for our safety agency. First of all, what is the foundation for Ford’s decision for this most unprecedented action? Before Ford announced the action, we were given a briefing by Mr. Nasser of Ford Motor Company and a chance to ask several questions regarding this extraordinary announcement.
As Mr. Greenwood has pointed out, we were told that this announcement resulted from the fact that Ford, on its own, essentially, conducted extensive testing in using updated data from NHTSA to determine that these 13 million tires should be replaced. But Ford also told us then that the Ford—that Ford tests were conducted in very comparable tests with other tires. Our investigators have learned something quite different, and we need an explanation of that today.

First of all, is the Ford recall or replacement overly broad? We know that many Wilderness AT tires are being recalled that have not been tested by Ford at all. It includes Wilderness AT tires that have fueled any claims casting suspicion, frankly, on the entire line of tires that other automobile manufacturers have used and continue to use as original equipment on their SUVs and light trucks, and that, by the way, includes GM and Toyota.

If indeed these tires should be recalled by Ford, should they be replaced by these other auto manufacturers? Second, the confusion gets even worse when you consider, as our investigators have discovered, that some of the tires Ford is recalling have a better claims history than those that Ford has chosen as replacement tires.

Let me say that again. Ford is going to replace these recalled tires with tires that have a worse claims history than some of the tires that are coming off the Explorers. For example, our investigators have learned that one of the tires that is going to be used in the replacement has a claims rate of 124 claims per million tires, well in excess of the five claims per million that Ford says is a benchmark used in this recall. Are we going to be replacing worse tires for the tires that come off these cars?

I want to say here something that is important for this committee and its work. Our investigators have uncovered a great deal of information about these claims and the claims ratios and this particular tire that is going to be used as a replacement. We are going to turn that information over to NHTSA following this hearing, and we are going to ask NHTSA to come back to us within 30 days to tell us whether this data is significant enough that Americans ought to know that the tires that they are going to have to replace and be used as replacement tires do have, in fact, a worse claims data than others. Is that significant? And does that make a difference for the safety of American families?

Our problem, of course, is that we don’t know yet today, and so we will give that information to NHTSA and ask NHTSA to come back with—to us within 30 days that we might be able to inform the American public. Ford, as a private company, of course, has the right to replace any parts of their vehicles, including the tires. But in the absence of an agreement from either Firestone or NHTSA, the public surely must be confused today. It is the job of NHTSA to come up with some consistent standards for when tires pose an unreasonable safety risk to the consumer, and when one company says that they ought to come off but they don’t come off other company’s vehicles and when replacement tires are called for that may have a different, in fact, a worse record than the tires that are coming off, that confusion in the American public is unacceptable.
Firestone, too, has failed to answer some pretty basic questions about the particular tires in question here. Ford and NHTSA have both focused their attention on two of the Wilderness AT tire lines used primarily on the Ford Explorer, and while the claims rates on these two tire lines are not as high as the levels of last year’s recall, they are still much higher than most of Firestone’s other tire lines, whether they are Wilderness or otherwise. And as NHTSA’s latest claims data shows, more complaints of accidents and injuries on these nonrecalled tires are coming in, yet Firestone would tell us to be content with the fact that the injury totals experienced on these previously unrecalled tires are not as bad as the first. I am not sure that is a good standard by which we ought to make safety judgments here.

Firestone’s also attempted to shift the focus from its tires to the Explorer itself. We have consistently said from the beginning of this controversy last year that all potentially relevant issues needed to be explored by NHTSA, including those related to how vehicles and tires interact as a system, and NHTSA is committed to doing just that, and we have asked NHTSA, in fact, to make more headway than they have so far.

But the review of the vehicle system issue should never replace the primary focus on the critical event itself, which is the tire tread separation, without which the vehicle stability issues wouldn’t come up. Firestone can’t avoid legitimate scrutiny of its tires by passing the buck on to the Explorer. NHTSA needs to fully explore all these relevant issues and in a much more timely manner. We need some answers soon, and the public should not have to suffer through additional weeks or months of dueling charts and flying accusations and more hearings.

And finally, I want to discuss an issue that I raised with Mr. Nasser in our conversation several weeks ago. We all know that Ford used Goodyear tires for the Explorer for several years in the mid 1990’s, in addition to the Firestone tires that were used and recalled. We also know that these Goodyear tires have had less than a handful of claims relating to tread separations on these Explorers. The obvious question is, why did Ford stop using Goodyear tires on the Explorer in model 1998 and return to sole sourcing Firestone tires that have since been recalled?

Last year, the committee released Ford documents suggesting that despite test data that show the Goodyear tire performing better than the Firestone tire, Ford, nonetheless, dropped Goodyear as the supplier for the Explorer, because Goodyear may have being uncompetitive in terms of costs. The committee recently received additional documentation from Goodyear that clearly confirms this point that Ford dropped Goodyear because Goodyear refused to drop its price to be more competitive with Firestone. And as Ford testifies today about how its recent test results and claims analysis show superior Goodyear performance, we should all keep that bit of history in mind.

Mr. Chairman, we won’t have all the answers today. Part of what we do today is shed light on this Ford decision and on some of the claims made by both Ford and Firestone. NHTSA needs to ride in to the rescue here and clear up this confusion very rapidly. In the letter we will send to the agency, we will ask you to respond in 30
days, Mr. Jackson, and our private conversations, I know you told me you intend to do that. We look forward to it. Thank you, sir.

[The prepared statement of Hon. W.J. “Billy” Tauzin follows:]

PREPARED STATEMENT OF HON. W.J. “BILLY” TAUZIN, CHAIRMAN, COMMITTEE ON ENERGY AND COMMERCE

Thank you, Mr. Chairman, and I want to thank both you and Chairman Greenwood for holding this joint Subcommittee hearing today, on this topic of great importance to the American people.

Last year, I co-chaired two hearings on this same topic, after Ford and Firestone jointly announced a recall of more than six million tires fitted mostly on the popular Ford Explorer. At those hearings, a lot of questions were raised about the thoroughness and timeliness of the internal responses of these two companies, as well as the government’s safety regulators—all of whom had knowledge of potential problems with these tires for years before taking any action to get them off of U.S. highways.

Those hearings also raised a lot of questions about the thoroughness of the testing done by Ford and Firestone prior to putting these tires on these vehicles in the first place, as well as the quality of Federal tire testing standards that were pathetically weak and had not been updated since the 1960s.

Partly in response to those hearings, this Committee and the Congress passed the TREAD Act last October, which required NHTSA to start collecting information on claims and lawsuits filed against manufacturers of automobiles and tires in an effort to better identify problems before they become bigger ones. But the Act also said, in effect, “Let’s not wait for the body count to start to conduct a post-mortem.” Let’s focus on ensuring adequate testing of tires in the design and pre-production phase, so as to improve our confidence in tires before we start driving our families around on them.

Against that backdrop, we are here today to discuss the extraordinary and costly action recently taken by Ford on its own to essentially recall as a precaution all Firestone Wilderness AT tires on Ford vehicles, despite the protests of Firestone and the inaction of NHTSA. Consistent with the spirit of the TREAD Act, Ford has focused on updated claims data it and NHTSA received from Firestone, as well as laboratory tests it has conducted on the tires at issue. Ford’s action certainly is unique in modern business history, in that it involves the recall of another company’s product. By its very nature, then, it raises a host of questions that warrant fuller exploration by this Committee.

One of those questions is the foundation for such an unprecedented action. Before Ford publicly announced its decision several weeks ago, Mr. Nasser came to speak with several of this Committee’s Members, including me, to discuss his planned action. When he explained the differences Ford’s tests were finding between the Firestone and Goodyear tires, one of the first things I asked him was whether the tests were run in a comparable fashion. He said yes, but as Mr. Greenwood has pointed out in his opening remarks, the findings from the Committee’s review of Ford’s test data and methodology certainly call into doubt whether these tests were run as comparably as both Mr. Nasser and I would have hoped and expected.

Moreover, taking the Ford test results at face value, they certainly do not support the breadth of the recall now underway, for that recall includes many Wilderness AT tire lines that Ford has not tested at all. The recall also includes Wilderness AT tire lines that have few, if any, claims—casting suspicion on an entire line of tires that other automobile manufacturers have used and continue to use as original equipment on their SUVs and light trucks, including GM and Toyota. While I certainly understand Ford’s interest in making this recall as easy as possible for its customers, I am concerned that its inclusion of all these tire lines may actually serve to confuse consumers even more.

This potential for confusion is even greater, given that consumers will soon learn—as our investigators have discovered—that some of the tires Ford is recalling have a better claims history than those Ford has chosen as replacement tires. Consumers also will soon learn—as our investigators have discovered—that there are other tires on Ford vehicles that have higher claims rates than the Wilderness ATs, but are not being recalled as part of this action.

In short, the question that neither Ford nor NHTSA has been able to answer to date is, what should be the baseline for action be here? We’re going to hear a lot of talk today about claims rates, wedge dimensions, peel strengths, temperature profiles, and other technical issues. But the bottom line is that, right now, we are dealing in a world of subjectivity and relativity, where we might be able to say that one
tire performs better or has different characteristics than another, but not whether the latter tire is in any way defective.

Ford, as a private company, need not have to prove a tire defective before deciding it wants to take all of them off its vehicles. But in the absence of agreement from either Firestone or NHTSA, the public surely must be confused. It is the job of NHTSA to come up with some consistent standards for when tires pose an unreasonable safety risk to consumer. And we must act quickly to reduce the confusion swirling around this issue before the American public starts to simply tune it out.

Firestone, too, has failed to answer some pretty basic questions about the particular tires most in question here. Ford and NHTSA have both focused their attention on two of the Wilderness AT tire lines used primarily on the Ford Explorer. While the claims rates on these two tire lines are not as high as the levels of last year's recall, they are still much higher than most of Firestone's other tire lines, whether Wilderness or otherwise. As NHTSA's latest data release shows, more complaints of accidents and injuries on these non-recalled tires are coming in.

Yet Firestone would have us be content to know that, in their opinion, these tires won't reach the claims or injury totals experienced by the previously recalled tires—as if THAT should be the benchmark we should all use in judging consumer safety. Well I, for one, am not willing to take that option either. Surely, there must be something about these particular tires that warrants closer inspection.

Firestone also has attempted to shift the focus from its tires to the Explorer itself. I have consistently said from the beginning of this controversy last year that all potentially relevant issues need to be explored by NHTSA, including those related to how the vehicle and the tire interact as a system. And NHTSA committed to doing just that when it was before the Congress last year—although it has made little headway in the meantime. But the review of vehicle system issues should never displace the primary focus on the critical event itself—the tire tread separation, without which the vehicle stability issues would not arise. Firestone cannot avoid legitimate scrutiny of its tires by playing pass the buck to the Explorer.

NHTSA needs to fully explore all of the relevant issues, and in a much more timely manner. The public should not have to suffer through additional weeks or months of dueling charts and flying accusations.

Finally, I want to discuss one other issue that I raised with Mr. Nasser in our conversation several weeks ago. We all know that Ford used Goodyear for the Explorer tire for several years in the mid-1990s, in addition to the Firestone tires that have been recalled. We also know that those Goodyear tires have had less than a handful of claims relating to tread separation on Explorers. The obvious question is, why did Ford stop using Goodyear tires on the Explorer in Model Year 1998, and return to sole-sourcing Firestone tires?

Last year, the Committee released Ford documents suggesting that, despite test data that showed the Goodyear tire performing better than the Firestone tire, Ford nonetheless dropped Goodyear as a supplier for the Explorer because Goodyear may have been uncompetitive in terms of cost. The Committee recently received additional documentation from Goodyear that clearly confirms this point—that Ford dropped Goodyear because Goodyear refused to drop its price to be more competitive with Firestone. As Ford testifies today about how its recent test results and claims analyses show superior Goodyear performance, we all should keep that bit of history in mind.

I want to thank all of our witnesses today, and thank both Chairman Stearns and Chairman Greenwood for hosting today's hearing.

Mr. STEARNS. I thank the distinguished chairman.

On our list, we have Ms. Harman for an opening statement. And let me remind the members the procedure is for a joint hearing, for the members other than the ranking and the full chairman, to limit their opening statements to 3 minutes. So we would be most appreciative.

Ms. HARMAN. Thank you, Mr. Chairman, and I commend you for holding this hearing, and welcome our witnesses.

I hail from California, where the blame game is in full frenzy for the energy crisis, and where SUVs are a way of life, even when they never go off road. 203 people have died because of tire failures, 203 people have died, and it is critically important that the heads of the companies who manufacture the vehicles and the tires involved in their deaths are here voluntarily and that we are here,
too. The blame game won’t bring those people back, and it won’t make cars or tires safer.

Actions the executives here take can make people safer. Actions that NHTSA takes can make people safer. Actions we take can make people safer. That is our job to protect the health and welfare of our constituents. The blame game stops here. And this hearing is about how we are going to go forward with safer cars and safer tires. I yield back the remainder of my time.

Mr. STEARNS. I thank my colleague.

The gentleman from Georgia, Mr. Deal.

Mr. DEAL. Thank you, Mr. Chairman. I agree with what Ms. Harman has just said. We find ourselves in multifaceted positions from time to time as Members of Congress in listening to the opening statements thus far, certainly a number of very important issues have been raised. However, I have the feeling that we are about to engage in a plaintiff’s trial lawyer discovery frenzy today of finger pointing. I am not particularly interested in that aspect, because I do not view that necessarily as a role for Congress to engage in.

But as Ms. Harman said, our primary purpose is public safety. So to that end, all of us will be interested in hearing what has been done to correct problems if problems did, in fact, exist, and what, if anything, needs to be done in the oversight responsibility that Congress has delegated to NHTSA in carrying out that role, and does anything from a legislative standpoint need to be done further in keeping with what we have previously done in the last Congress with the TREAD Act? Those are the kinds of inquiries that I view as relevant to the matter that is before this committee today. I yield back the balance of my time, Mr. Chairman.

Mr. STEARNS. He yields back the balance of his time. Mrs. Capps is recognized for an opening statement.

Mrs. CAPPs. Thank you, Mr. Chairman. I would like to say that I am pleased that we are holding this hearing today, but I am not. I am not, because of the original circumstances that have brought us here today, tragedy. As we all know, over 200 people have died in car accidents because of faulty tires, faulty car design or maybe some combination of both. Hundreds more have been injured. The lives of the families and friends of these people have been up-ended, and we are here today to try to sort through the facts that have caused this damage.

But I am also not pleased because today’s hearings will likely be a continuation of the charges and countercharges between two legendary American companies. Ford has now offered to replace all of Firestone Wilderness AT tires. The company says they are doing this out of concern for their customer’s safety. Firestone questions the motives of Ford and produces studies that claim its tires are not the reason behind the rollovers that have caused the deaths of so many people.

So Ford produces studies that show its Explorers are safe. Both sides have experts supporting them, and today’s Washington Post has a story about the lobbying efforts that are going on so each side can get out its story.

Maybe there is nothing wrong with this, but I don’t know if it is actually getting us much closer to the truth. So today’s hearing
will likely be a continuation in this battling of charges and countercharges, each side producing credible studies to make its point. Quite frankly, I am not sure who to believe, and I will not make any statements that call in question the legitimacy of either side. But I am sure of one thing. I want us to get to the truth of this matter. I want American consumers to know that when they get behind the wheel of their car, they can know that that car and all its parts are as safe as they can be, that there have been no corners cut, no edges shaved. That, after all, is one of the jobs of our government, to make sure that the market works and produces safe products.

In this case, we clearly need a judge, someone who can look at the technical claims that companies are making and make some sense of them. That judge is supposed to be the Federal Government, specifically the National Highway Traffic and Safety Administration. So I will be interested to hear from NHTSA, and I will continue to push them to get to the bottom of this matter.

American consumers are depending on them and on us. Thank you. I yield back the balance of my time.

Mr. STEARNS. I thank my colleague.

Mr. SHIMKUS. Thank you, Mr. Chairman, and I will be brief. We want to welcome our two CEOs and the director of NHTSA here, two great companies that we are in conflict with today. Basic business MBA says the CEO’s job is to maximize shareholder wealth. We all know that you do that by protecting public safety, because it is not good business to impinge on public safety. No one would take that risk. But as everyone agrees on both sides of the aisle, we are searching for some certainty, legal certainty. We talk about that in all lines of the business that we do here on the commerce committee, legal certainty on who is doing what and how to resolve this. We did pass the TREAD Act last year in response initially, and unfortunately, haven’t had much time to get the full impact of the TREAD Act, along with the additional dollars needed to affect that law, and we’re already back in front of this committee.

My questions will be directed to both the CEOs and to NHTSA as to what should NHTSA do, Ford Motor Company? What should NHTSA do, Firestone? And NHTSA, what do you think you should do, and what resources do you need to get it done? You can tell there is a lot of frustration up here. We did not want to be here less than a year after the last hearing, and we hope that we can get to some conclusions so we are not here again in the next couple of months. Thank you, Mr. Chairman I thank the gentleman for yielding.

Mr. STEARNS. I thank the gentleman.

The gentleman from Massachusetts, Mr. Markey, is recognized for an opening statement.

Mr. MARKEY. Thank you, Mr. Chairman, very much. This is an unprecedented hearing before this committee. We have two corporations, each of which has leveled a blistering, scalding indictment of the other company. Obviously we need answers. We have a corporate schoolyard brawl that has broken out here. We need an impartial referee to determine who was right and who was wrong on each one of the allegations. This hearing is not going to deter-
mine that. We need NHTSA, the independent agency, to play the role of referee, calling each one of the shots on each one of these issues in a way that ascertains the truth for the American people.

Now, it is true, and today the President has designated his nominee to be the head of NHTSA. We haven’t had anyone running NHTSA for the last several months there was a Presidential designee. This, in the aftermath of this committee and the Congress passing a law last year which gave a very serious homework assignment to NHTSA. Now, NHTSA tells us that they are at least a month away from finishing their information. In addition, we have to know how much progress they have made in implementing the TREAD Act, implementing the law which we passed last year.

After all, that is the only way in which the safety recommendations and requirements which we passed into law last year are going to be put on the books, and the public will be protected and every subsequent year in because of those additional safety protections. So I wish that there was an urgency in this administration that would have designated a new head of highway safety back 5 months ago.

That would help us to know who is right and who is wrong in every one of these issues. Obviously, the very viability of at least one of these companies is going to be determined by the answers to those questions. We know that there is a toxic cocktail that is created when Ford Explorers and Firestone tires are put together. That warning is out there now to the public. Ford is now saying that it is more than the 6 million tires. Now an additional 13 million Ford—Firestone tires that put their vehicles at risk.

But we do know this as well: Even as the information has been made available to Ford over the last several years, they continue to increase the weight of their SUVs, knowing that there is a direct correlation between the weight of these vehicles and their propensity to roll over and to endanger American families. And so, Mr. Chairman, we couldn’t have a more important hearing, but everything that happens today is merely preliminary to the ultimate decisions made by NHTSA as to who is right and who is wrong, and I hope that we can get a confirmation on the President’s appointee and a quick resolution of these issues for the sake of the public, because we know these accidents occur on hot summer days on long rides, and that is where we are in America today, with the American public at greatest risk for the next several months without the answers which every one of these families deserve.

Mr. Stearns. I thank my colleague.

The gentleman from Nebraska, Mr. Terry, is recognized for an opening statement.

Mr. Terry. Thank you all. I will be succinct, and my focus here is going to be on my own government agency and their tardiness in supporting the process and supplying us with data. The reason why I want to focus on them is because I am going to work from a basic assumption, that there is self-motivation involved in both Firestone and Ford’s testing. There is a billion dollars at stake here in lawsuits. There are trials strategy taking place, and as layman up here in most of the public, we could read the data, the summaries of the testing and we can see—well, I won’t say it is fairly convincing. The oversteer of the Ford Explorer that Firestone has
provided us, likewise the peal strength and the other data that Ford has supplied us about the Firestone—Firestone tires, the data that they have accumulated.

When you read the summaries, to us they all are convincing, but keep—what keeps popping in my mind is that there is a lot of dollars at stake here in lawsuits. Each in a trial strategy have the ability, and it is pretty typical trial strategy to try and bring somebody else in as a defendant and share the blame.

So what we need is reliable independent data that we can rely on that can shift through the new answers that some of my colleagues might have brought out in their opening statements of just the little things that you can tweak, the type of vehicles that are used, the age of the tires that are used that can tweak the outcome, can tweak the data to where layman wouldn’t notice. That is why we rely on NHTSA, and so I think that is where I am going to focus upon today, and the hard questions will be asked.

It will be good questions for Firestone and Ford as well, but we need that independent body, the American public needs that independent body, and we haven’t been able to provide that. I yield back the balance of my time.

Mr. Stearns. The gentleman yields back the balance of his time.

Thank you.

Mr. Strickland is recognized for his opening statement.

Mr. Strickland. Mr. Sawyer is——

Mr. Stearns. Mr. Sawyer is not on either subcommittee, but we certainly invited him to participate, and we are under the customary procedure allowing him to do his opening statement after the members of both subcommittees have spoken first.

Mr. Strickland. Thank you, Mr. Chairman.

Mr. Stearns. So you are recognized.

Mr. Strickland. Thank you, sir. I’ll just take a few moments.

Sitting here, I listened to my colleagues and I’ve concluded what I frequently conclude when I attend these kinds of meetings and that is, where do we as Members of Congress go for the truth? How can we take the information that is provided to us, sort through it, determine credibility and reliability, and then make an informed decision?

And I think that’s what we must, at least in part, depend upon our witnesses today to provide for us and to us. But ultimately I think we do need this objective judgment from the Federal agency that’s responsible for providing us with these kinds of data.

I am more than a distant observer, I guess. I drive a Ford Explorer with Wilderness AT tires, and I have a district where it takes me about 5 hours to drive from end to end, and I plan to do that throughout the coming summer months. So I hope we reach some conclusions today so that I, and my constituents especially, can face the summer months feeling some degree of confidence.

I yield back.

Mr. Stearns. The gentleman yields back. The gentleman from Tennessee, Mr. Gordon, is recognized for an opening statement.

Mr. Gordon. Thank you, Mr. Chairman. I think we’re at the point of opening statements, where there is the cliche, “Everything’s been said, just everyone hasn’t said it.” so I will just make a quick observation.
When I was practicing law in a small town, Murfreesboro, Tennessee, I think I discovered what we’re going to find out today. Mr. Tauzin and Mr. Greenwood particularly did a good job—and Mr. Deutsch—of laying forth a lot of serious questions that we need to have answers to.

A month of hearings won’t bring answers to all those, so as has been said, we need to move forward and hear from NHTSA, because I think we are going to find out what I found in Murfreesboro, that you can take the two or three witnesses seeing the same accident or a dog bite and they’re going to come back with different views. Whether it was the direction, or their angle for seeing the accident, whether it is an internal prejudice, they simply bring back different views. So, hopefully, NHTSA will get its act together shortly and do a more thorough investigation.

So what I want to do in my time is really ask the same questions of all three witnesses, to try to set up a benchmark, so we can move forward. And thank you again.

Mr. STEARNS. The gentleman yields back the balance of his time.

Mr. Stupak is recognized for an opening statement.

Mr. STUPAK. Thank you, Mr. Chairman. Mr. Chairman, more of a parliamentary inquiry if I may. As I was coming flying out here today I went through Detroit. I grabbed the Detroit Free Press because it talks about new tires, new worries. And on the majority side, we’ve had some discussion this morning in opening statements about the replacement tires having a worse safety record than the Firestones.

My question is directed to the Chair: Are we going to see that information? Is it going to be part of this hearing? Can we see it?

My friend, Mr. Strickland, and I both have a Ford Explorer. After last year’s hearing, I replaced my tires, so I want to make sure if I replaced them, I replaced them with good tires; and I think we’re misleading the American public if we say we replaced them with worse tires. But we are not getting the data.

Mr. STEARNS. Will the gentleman yield?

Mr. STUPAK. Sure.

Mr. STEARNS. I think as we go through this hearing there is a nuance here between safety and claims reporting and what this claims reporting means versus actual safety. So I think what they’re alluding to is the claims reporting, which is not necessarily a clear proportionate with the safety.

But I think your concern is welcome and I think one of the reasons that we had this hearing is because both members and the consumers want to understand the nuances between this claim data and what it means. And so when we move forward, I think some of the questions that you have might allude to that fact.

Mr. STUPAK. I see the chairman is here. Maybe he may have that information.

Will that be provided to all of us, Mr. Chairman, the information you brought up about some tires have worse safety records than the ones that are being—

Mr. STEARNS. It’s not a safety record. We are talking about just claims data, which is not a safety record.

Chairman TAUZIN. Would the gentleman yield?

Mr. STUPAK. Can we have that data?
Chairman Tauzin. Will the gentleman yield? Some of the data is apparently NHTSA's data. Some of it has been provided to us on a confidential basis from other tire manufacturers, and frankly, we don't know how valid this information is. NHTSA has not looked at it to see whether this information that's privately supplied to us is validated yet.

At a meeting right before this hearing I asked Mr. Jackson if we supplied him with this information immediately following this hearing, again because it is confidentially supplied to our investigators—first, supply it to NHTSA, would they within 30 days be able to give us, as quickly as possible, information as to whether or not that information we received is, No. 1, valid, and No. 2, whether or not it's consequential information that consumers need to know immediately, if in fact the Ford criteria for this recall are valid.

Mr. Dingell. Would the gentleman yield to me?

The question, I think, that has to be answered is, are we comparing apples and oranges. I would note that some of the information that shows that the new tires from Firestone are safer than other manufacturers comes from a plant where there is no history of manufacturing of those tires at that plant, and as a result, there is no record of failures of tires coming from that plant.

Now, is that not so?

Chairman Tauzin. Would the gentleman yield?

Mr. Stearns. The gentleman's time has expired.

Mr. Stupak. I ask for unanimous consent for 2 additional minutes with the colloquy going.

Chairman Tauzin. I would say to my friend that there are several questions we do not know the answer to, and that is, one, whether, first of all, we think the data we are getting is valid. But we need to have that verified by NHTSA. If, in fact, a tire that is going to be replaced by Ford is going to be replaced with a tire that has a much worse claims record than a tire being replaced, is that information significant enough for Ford perhaps to make a different decision or for consumers to make a different decision? That's a question that we are going to ask NHTSA at the end of this hearing.

The gentleman is correct, there's a lot of claims data that goes to NHTSA. Some of it goes to the individual tire companies; and we need to know whether or not we have duplicate numbers, how valid is it, and how significant are those numbers before we ask NHTSA to release them to the public, I think.

Mr. Stupak. I want to reclaim my time here.

Whether it's claims data or safety claims, if we have information, I hope that it can be shared with all members of the committee, because I can wait for Ford. Like I said, I replaced my own tires on my Explorer, and when you have an accident, it's an accident—they don't call it “safety data” or “claims data,” it's an accident for the people out there.

And I think the purpose of these hearings is to clarify this stuff for the American people, and all we are doing is confusing them by saying we have new tires and new worries, but yet we are not sharing this information with the American public.

So I hope by the end of the day we could get that information, and someone on the majority side—that we have plaintiff trial law-
yrs discovery. Well, being a plaintiff trial lawyer, I certainly hope we do because plaintiff trial lawyers usually increase public safety and get to the truth of the matter.

Chairman Tauzin. Will my friend yield again?

Mr. Stupak. Sure.

Chairman Tauzin. I hope you understand that is precisely the reason why I’m asking that the committee request NHTSA to clarify this information for us rapidly. I don’t want us to be party to releasing bad information to the American public which causes them either distress, worry or to make a bad decision.

One of the reasons for this hearing today is to examine Ford, its decision in that light, as Ford ordered a recall. Has it recalled tires that other companies should recall? And the information we’ve discovered leads us to some new confusing areas.

I think it’s critical that before we confuse the public with this information that we get it verified by NHTSA, and more importantly, that they indicate the significance of these numbers to us so that we can make a proper report to the American public without further confusion.

Mr. Stupak. Well, Mr. Chairman, as I said before you came in, someone’s already released the information. It’s already confusing the public when you have the headlines “New Tires, New Worry,” so I think we have to get that squared away as soon as we can.

Mr. Stearns. The gentleman’s time has expired.

The gentleman Mr. Sawyer, who is not a member of either subcommittee, but is welcome to provide an opening statement.

Mr. Sawyer. Thank you very much, Mr. Chairman, for the hearing and for the chance to take part in this way. I am from Akron, Ohio, and although we haven’t built a passenger car tire in Akron for 22 years, it remains a center of research and development, production technology, command and control in this global industry for more than a century.

It is matter of personal concern that we resolve questions of continuing safety in this important industry to people all over my district. In that sense, understanding these tragedies is rightfully this committee’s work; reducing their likelihood in the future is our purpose. And so while there are many things that have been said today, I’d like to return to three fundamental points that I made a year ago.

What I said last year I feel just as strongly about today. That is this: You cannot evaluate tire performance separately from the vehicle on which it is equipped. Nor is a vehicle performance evaluation complete without the tire. In one sense, a tire may be the single most important component of a vehicle in translating that vehicle’s design characteristics into actual performance on the road.

The tire and vehicle work together in determining acceleration, braking, cornering, comfort and, most important, safety and do it through four very small contact patches with the road. In that sense, the question that we have to answer is how the vehicle and its tires function together.

Second, let me just say that I’m deeply troubled by the underlying notion that tires are never supposed to fail. I remind all of us that the tire remains the only piece of equipment on the vehicle that has a backup. This is not by chance. Tires are complex, they’re
highly engineered products that operate in one of the most extraordinarily violent environments of any product that we use in our daily lives and they wear out. They are consumable products.

Third, typically tires contain more than scores of different design elements of rubber, steel, polyester, chemicals, carbon black, depending upon their application in design of the tire. Many tires are designed for specific vehicles, for specific performance; consequently, tires perform differently depending on the type and design of the vehicle on which they’re mounted and how and where that vehicle is used.

With this in mind, it is clear it would be a serious mistake, in my judgment, to try to set one standard for tire performance for the tire industry. Each tire design and application, it seems to me, must be evaluated in its own setting. When tires do fail through road use, damage or abuse, or misapplication to the wrong vehicle, or wearing out at the end of its useful life, or as the result of a design or manufacturing flaw, NHTSA’s got to have the appropriate data so that it can evaluate the tire in its appropriate vehicular environment. That’s the best way to protect consumers.

When Congress passed the TREAD Act last year, it took a major step in making sure this happens by requiring an early warning system, one that works—actually two that work: one, to use performance statistics through the reporting of data to identify problems early in the life of a design.

We heard a number of different dimensions that have reporting data. Comparability is another one, to make sure that you’re getting the same data from different corporate settings.

The second is an early warning device to warn the vehicle’s operator with accuracy when his vehicle’s tires begin to lose pressure.

I know that NHTSA’s working diligently on the regulations to implement the act in this provision, and I look forward to hearing them and the witnesses in this process.

Mr. Chairman, I thank you very much for your indulgence.
Mr. STEARNS. I thank the gentleman.

[Additional statements submitted for the record follow:]

PREPARED STATEMENT OF HON. MICHAEL BILIRAKIS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman, thank you for calling this hearing today to examine the reason and ramifications for the Ford Motor Company’s recent recall of additional Firestone tires.

This issue touches many of our constituents. I have heard from many individuals in my district who have expressed concerns about tire and vehicle safety. It is terrible that the increased attention to this issue comes as a result of tragic accidents and highway fatalities. I hope that this situation can help improve public awareness of the need to monitor tire pressure and engage in regular vehicle maintenance.

Many consumers, including Members of Congress, are confused by the various data coming from both Ford and Bridgestone/Firestone. Are the Firestone tires the cause of the problem, or is it a result of the design of the Explorer? Whose data should the public believe? What is the proper role of the National Highway Traffic Safety Administration (NHTSA) in making these determinations?

I hope that this hearing gives the respective parties a chance to highlight their findings and provide answers to these Subcommittees on issues that greatly impact American consumers. I am particularly interested to know if there is any documentation or claims for accidents that have occurred in an Explorer with non-Firestone tires. Has NHTSA conducted the necessary testing to ascertain whether these problems are limited to the Firestone Wilderness AT line, or have they received claims for similar Explorer accidents with competitors’ tires?
Mr. Chairman, with the summer in full swing, many families are piling into sport utility vehicles (SUVs) and heading out for summer vacations. In order to ensure the greatest protection for the safety of those families, it is incumbent on us to obtain the most accurate and comprehensive information possible. We must also increase our efforts to raise public awareness of tire and vehicle safety issues, so that every driver realizes the importance of proper vehicle maintenance, including gauging tire pressure.

I look forward to the testimony from our witnesses. Thank you, Mr. Chairman, for holding this important hearing.

PREPARED STATEMENT OF HON. BARBARA CUBIN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF WYOMING

Thank you, Mr. Chairman. I believe it is important today to convene this hearing to disseminate information to the American consumer—especially those that own Ford vehicles or any vehicle with Firestone tires.

Not wanting to speak for other members of the subcommittee, I’d like to make an initial statement to our witnesses today from Ford and Firestone: please stop playing this juvenile blame game; please stop publishing graphs and charts that only support one side of the story; and by all means please stop sacrificing the safety of American families at the altar of public relations.

We know that different tires seem to react differently to certain conditions. We also know that automobiles, especially SUVs, tend to react differently than passenger vehicles in certain conditions. When you put those two very uncertain situations together we seem to get a very tenuous outcome.

In a situation such as this we tend to look to the companies to resolve the problem to ensure that their customers’ safety is protected. We don’t seem to have that in this case. Maybe if the companies get past pointing fingers at each other they’ll begin concentrating on the safety aspects.

Until then, it is very important that the National Highway Traffic Safety Administration (NHTSA) be a leader in answering many of the outstanding questions surrounding what has become an absolute debacle.

I’m pleased to read in Mr. Jackson’s testimony that NHTSA’s testing may be completed as early as next week.

However, I’m concerned that any delay in getting accurate information out to the public will jeopardize the lives and safety of our families.

Additionally, many local businesses are dependent on selling these goods and services. Timely, accurate information is critical to ensure confidence in both Ford and Firestone products.

I look forward to hearing from the witnesses. I yield back my time.

PREPARED STATEMENT OF HON. ED BRYANT, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TENNESSEE

Chairman Stearns, Chairman Greenwood, I thank you for holding this joint hearing today on an issue of obviously great importance.

I, like others on the committee, have interests on both sides of this issue, having constituents that are directly involved with both Firestone and Ford. As I prepared for this hearing over the last weekend, I met with Ford dealers in my district, and in Tennessee we have the headquarters of Firestone as well as a number of Firestone distributors and dealers.

After the recall of the 15-inch Firestone ATX and Decatur Wilderness AT tires last year, and now after the discussions surrounding Ford Motor Company’s “replacement program,” I think that the American people frankly aren’t real sure what to make of the situation.

Ford says this is a tire problem and Firestone says it is the Explorer. Last year we learned that there was indeed something that went wrong at the Decatur plant to make so many Firestone ATX tires fail.

Obviously, there is not the same consensus today.

Firestone’s studies indicate that the Firestone AT tires on vehicles other than the Ford Explorer have not had the same problems with tread separation as the tires on the Ford Explorer.

But, then Ford points out that the reliability of Goodyear tires on the Explorer is evidence that the Explorer is not to blame.

Ultimately the reason we are here today, and the reason we are not leaving this to the courts and solely NHTSA (the regulators whose job it is to do these things) is that we are trying to move quickly and determine what safety concerns are out
there. We need to make sure that folks in NHTSA are doing their job, but the bottom line is that we are trying to protect the consumers' interests.

This hearing is a great opportunity for Congress to sift through the studies and statistics conducted by both parties, and try to reconcile the information so we can better understand what is going on here.

It is indeed a shame that such a long working relationship between these two companies has been severed. I encourage the two parties to try and work together and cooperate with the American people. The interests we are looking for today is that of the consumer, and I hope that this hearing helps to better inform the consumer of the safety of both the Firestone Wilderness AT tire and the Ford Explorer.

Again, I thank the two chairmen for having this hearing, and I also thank the members of the panels for coming today—Mr. Nasser, Mr. Lampe, Secretary Jackson, Mr. Shelton, and Mr. Weinstein—thank for bringing your cases before us today.

PREPARED STATEMENT OF HON. EDOLPHUS "ED" TOWNS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Thank you, Mr. Chairman for convening this timely hearing on Ford's replacement of Firestone's Wilderness AT tires. I would also like to thank today's scheduled witnesses for appearing: Jacques Nasser of Ford, John Lampe of Firestone as well as the representatives from NHTSA. I do not expect that we will reach any conclusions today, but I hope that by bringing the parties together we will provide the American people with the information necessary to make more informed decisions.

We are here because of the more than 2100 tread separations of Firestone ATX and AT tires that have resulted in the deaths of over 200 people. One of the goals of the Consumer Protection Committee—as the name suggests—is to protect consumers. When over 200 people die as a result of a similar cause it is time to examine the problem more closely.

Last year, Firestone recalled 6.5 million tires after confronting the accident and fatality reports with Ford and NHTSA which indicated that there was a problem directly linked to Firestone's 15 inch ATX tires and Wilderness AT tires produced at its Decatur manufacturing facility. The number of accidents and fatalities linked to the Firestone tires in question clearly indicated that something needed to be done to address a worsening situation. Ford and Firestone largely worked together and took responsibility for the problem. At the time, all parties committed to continue looking for the root cause of the tread separation problem. In addition, questions were raised regarding whether or not the initial recall was broad enough. To date, we have heard from Ford and Firestone regarding their findings. We have yet to hear the findings from the National Highway Transportation and Safety Administration's (NHTSA) study of the recalled tires, Firestone's Wilderness AT tires and possibly some aspect of the Ford Explorer.

Last year's recalled tires had claim rates of 363 per million to 41 per million. The tires currently in question have claim rates which have roughly doubled from their previous levels to the most recent available statistics—from the September 2000 to December 2000 reporting period—of 19.3 and 17.4 per million. While this increase is significant it is two to twenty times smaller than the claims rates of the previously recalled tires. Ford maintains that they had to act because the claims trends suggested increasing tire problems and a potential increasing risk to consumer safety. Ford should be lauded for their extraordinary efforts to safeguard consumers. However, it is very difficult to analyze the basis for Ford's decision without any baseline standards from NHTSA.

Firestone for their part has been cooperating with NHTSA as well. I do not believe that anyone is served by the chart wars that we have seen from both Ford and Firestone over the past several weeks. I would urge both parties to continue cooperating with NHTSA and allow NHTSA to do the job that it is supposed to do.

In addition, I point out that the battle of self-serving statistics has only brought into doubt the creditability of both sides in this dispute. Currently, the biggest problem facing the American people regarding this matter is the lack of any information from an independent third party. Again, I urge NHTSA to release their conclusions as soon as possible. In addition, I would ask NHTSA to answer the following questions:

It is nearly impossible to judge the value of the information provided by the two sides of this dispute without any definitive baseline information to clarify the companies' competing claims from NHTSA. Does NHTSA have baseline information regarding the number of claims per million for tires?

What can be done to make NHTSA's information more user friendly?
Does the lack of an Administrator for NHTSA hamper its ability to serve the American people?
How will NHTSA be able to deal with the vast amounts of additional data it is scheduled to receive under the Tread Act, if NHTSA has its hands full with the information that it already receives?
Does NHTSA need additional resources to do its job more effectively?

Mr. STEARNS. Now we'll have the first panel; I think we have completed our opening statements. But before we do, I would like to ask unanimous consent of the subcommittee to place into the record documents that are both from the minority and the majority side; and without objection, it's so ordered.

We welcome Mr. Jacques Nasser, the President and Chief Executive Officer of Ford Motor Company. And let me just say that we appreciate your patience in coming here; and at this point, it's customary, Mr. Nasser, to swear you in, and I think we're going to have Mr. Greenwood swear you in.

Mr. GREENWOOD. Good morning, Mr. Nasser. You're aware that this committee is holding—this joint committee is holding an investigative hearing and as is our custom, we take our testimony—witnesses give their testimony under oath. Do you have any problem in testifying under oath?

Mr. NASSER. No.

Mr. GREENWOOD. You are entitled also to have counsel. Do you wish to be represented by counsel during your testimony?

Mr. NASSER. No, I don't.

Mr. GREENWOOD. In that case, if you will raise your right hand, I will swear you in.

[witness sworn.]

Mr. GREENWOOD. You're now under oath and may testify.

Mr. STEARNS. As I was saying, Mr. Nasser, we want to thank you for coming here and to recognize that you came to us early to speak with us about this controversy. And we appreciate your willingness to come forward in talking to us, and we give you the floor.

TESTIMONY OF JACQUES NASSER, PRESIDENT AND CHIEF EXECUTIVE OFFICER, FORD MOTOR COMPANY

Mr. NASSER. Thank you very much, Chairman Stearns.

Mr. STEARNS. You might have to put that a little closer to you. That's a little better. Thank you, sir.

Mr. NASSER. Chairman Stearns and Chairman Greenwood, Congressman Dingell and members of the committee, at the outset I'd like to express on behalf of the women and men of Ford Motor Company our sincerest sympathies to those families who have lost loved ones in these tragic accidents.

Today, as we've already seen, the committee is going to be battered with competing data and competing analyses, research and statistics, charts and graphs, experts and opinions, all striving to settle the disagreements surrounding our decision to replace 13 million tires on Ford vehicles. I'm here to explain the reasons behind our decision and to answer any questions the committee may have about the actions that we have taken to protect the safety of our customers.

As mentioned earlier, last year Firestone recalled about 6.5 million tires, primarily on Ford vehicles; and at that time, I pledged
to this committee that Ford would implement an early warning system to help identify potential tire problems.

We promised our customers and all of you that we would use the lessons learned, combined with the aid of new technology, to keep our customers safe; and Ford Motor Company supported passage of the TREAD Act, which in many ways encouraged the very same vigilance.

Public awareness of tire safety has intensified since last year, and our expectations within the Ford Motor Company of tire performance has also changed. In many ways, maybe in all ways, the bar has been raised.

Without question, detecting the possibilities of a future tire defect carries much greater weight than it ever did before. We've also moved from seeking remedies for bad tires to identifying and eliminating faulty tires before the safety of customers is compromised.

Last summer, field data and government data revealed highly elevated tread separation rates on Firestone ATX and certain Firestone Wilderness AT tires. Those tires were recalled even before we knew why they were failing.

Clearly, we needed to learn more to be able to prevent this from happening again, so we started digging deeper and deeper, and we began the most intensive scientific investigation in Ford Motor Company's history. Hundreds of engineers and scientists looked at the tires; then they looked at the tires together with the vehicle, and they also looked at the vehicle itself.

Our lab tests and real-world data, including Firestone's own claims data, indicated that many of the remaining Firestone Wilderness AT tires will experience elevated failure rates, particularly as they age. The data convinced us to act now and to act on behalf of the people who drive our vehicles.

We must admit that we're dealing with very early warning signals, but they're warnings that we have taken very seriously, and we could not ignore them. We believe that this issue will grow into a more serious problem, particularly as the tires wear and age, and in short, without this action, our customer safety would have been at risk.

So on May 22, we announced our tire replacement program, and thanks to the dedication of our dealers and employees and the cooperation of the other tire companies, we're moving ahead swiftly. About 2 million tires are now in the pipeline, and we have replaced about 1 million tires as of this morning.

I'd like to thank the many dealers and thousands of UAW workers who are in Washington today to show support for their company and for our actions. It means a great deal to us.

Let me talk about the Explorer, and let's get to the heart of the issue. The Ford Explorer is and always has been a safe vehicle. The criticism from Firestone challenging the Explorer's safety is not based on fact. Real-world data that is compiled by the Department of Transportation shows that the Explorer is among the safest SUVs on the market. And let's go through that data.

The Explorer is 27 percent safer than passenger cars. The Explorer is safer than comparable SUVs in all crash types, front, side, rear and roll-over. The Explorer is involved in 19 percent fewer accidents of all types than the typical sports utility vehicle.
From another angle, the Explorer has scored four or five stars in government frontal and side-crash tests. Explorer has also received the second highest ranking from the Insurance Institute for Highway Safety in its frontal offset crash tests; and just one other SUV got a better rating, while four received lower ratings.

When you stand back from it all, in all, no other sport utility vehicle has such a strong combination of field and testing performance. Those are the facts, not the headlines.

In addition, we have closely examined the relationship between sport utility vehicles, as was mentioned earlier, and tires. We performed hundreds of tests with the Explorer and competitive sport utility vehicles, and this exhaustive analysis filled millions of pages of information which we have shared with NHTSA, we have shared with Firestone and we have shared with this committee. That book to my left is a summary of that data and it shows that the Explorer is a superbly designed vehicle and is a safety leader.

Last month, Chairman Tauzin asked NHTSA to review the performance of the Explorer compared to other sport utility vehicles. We agree that there is much misinformation and some confusion about the safety of these vehicles. So we welcome and we encourage NHTSA’s review and analysis of all the data on Explorer and peer vehicles, and we will fully cooperate in this effort.

We’re also very confident of the outcome because the Explorer has 10 years of real-world safety data and that doesn’t mislead.

And there’s more, probably the clearest demonstration yet that this is a problem with the tires and not with the vehicle; and this is the real-world performance of two groups of Explorers totaling more than 1 million vehicles manufactured over a 3-year period. Everything about these two groups of Explorers was exactly the same except that half the Explorers used Goodyear tires and the other half used Firestone tires. We gave both tire manufacturers the same performance criteria and both sets of tires had the same recommended tire pressure.

This is the only real-world comparison that is truly apples to apples, and the results are very clear. There were 1,183 tread separations on the Firestone tires; there were two on the Goodyear tires. The only variable was the tire. Everything else was the same—the same drivers, the same vehicles, same parts of the country, same roads, same driving conditions, same loads and the same tire pressure.

So it bears repeating, this is a tire issue and only a tire issue.

I’ve heard some of the comments made earlier this morning, and I want to make it clear that we do not get any satisfaction from this dispute with Firestone, but we cannot and we will not let them decide when or how the Ford Motor Company will act to protect our customers’ safety. Our customers count on Ford to place their safety and interests above all else, and we do.

One year ago, I came before this committee to discuss the recall of Firestone tires, and at that time, you asked what we could do to assure the public that this type of safety calamity would not happen again. I pledged to you and to our customers that we would be vigilant in our efforts to identify the problems and to identify them early and to fix them.
So I’m very proud of the Ford Motor Company’s strong commitment to safety, and I am grateful for the Secretary’s recognition of that commitment. And as I said last year, this is a tire problem, not a vehicle problem. And the government confirmed last year that this is a tire problem.

Although we’re back before your committee again this year to discuss an even larger recall, this still remains a tire problem. Our goal is to make sure that it does not become a safety problem for the public.

Thank you for your attention, and I’ll be pleased to answer any questions.

[The prepared statement of Jacques Nasser follows:]

PREPARED STATEMENT OF JACQUES NASSER, FORD MOTOR COMPANY

Good morning Mr. Chairman, Congressman Dingell and members of the committee. I am Jacques Nasser, President and CEO of Ford Motor Company. I am here today to explain the reasons behind our decision to replace 13 million Firestone tires on Ford vehicles. I am also here to answer any questions the committee may have on the steps we have taken to protect the safety of our customers.

For nearly 100 years, our Company has thrived because we have been responsive to our customers and our communities around the world. In all the actions we have taken, we have been guided first and foremost by our commitment to safety. We have also been driven by facts—real world performance data, as well as laboratory analyses. We have shared all the data and analyses openly, and have worked with NHTSA and with Firestone to better understand the causes of the tread separation problem with Firestone ATX and Wilderness AT tires.

Why We Are Replacing the Tires

On May 22nd of this year, Ford announced that we would replace all Wilderness AT tires used on Ford vehicles because of concerns about the performance of the tires as they age, creating unnecessary risks for our customers. While some of the tires being replaced do not show a substantial failure risk, we are replacing all Wilderness AT tires to avoid any confusion for our customers and eliminate any doubt about the quality of their tires.

Last summer, while the data indicated elevated rates of tread separation on the 6.5 Million ATX and Decatur-built Wilderness AT tires (Exhibit 1), which resulted in the Firestone recall, we did not have enough information to understand why the tires were failing.

Immediately after the recall, we assembled a team of technical experts to find the causes of the tread separation problem. The purpose of the investigation was simple: we had to be certain that the tires on our vehicles were as safe as possible for our customers. The ‘Tire Team’, as it became known, spent more than 100,000 person-hours analyzing real-world data, investigating accidents, testing tires and vehicles, running computer simulations and studying tire designs. Our Tire Team worked closely with NHTSA every step of the way. We also shared our data and analysis with Firestone and Dr. Sanjay Govindjee, who conducted an independent investigation at Firestone’s request.

As part of that intensive work we developed a laboratory test to duplicate the failure mode experienced in the field. We developed better statistical analysis of claims data that allowed prediction of trends in failure rates. We worked with NHTSA to understand failure rates in competitive tires. And we did detailed engineering analyses of failed tires to give us an understanding of real-world failure mechanisms. Our findings proved consistent with the findings of Dr. Sanjay Govindjee.

We reached the following conclusions based on our data and analyses:

• Firestone’s Wilderness AT tires experience higher rates of tread separations than other tires, including the Goodyear tires used on the Explorer.
• Firestone’s ATX and Wilderness AT tires fitted to Ford vehicles have temperature characteristics, wedge design characteristics and rubber properties, including peel strength, that demonstrate they are more sensitive than other tires to the stresses caused by ordinary use. This correlates with their significantly higher failure rates in the field.
• Firestone’s ATX and Wilderness AT tires have different designs, constructions and performance characteristics depending upon when and where they were manu-
factured. The Goodyear tires used on Explorers do not exhibit this degree of variability.

- Firestone’s Wilderness AT 16" tires with a recommended inflation pressure of 30 psi perform about the same on the Explorer as the 15" tires with a recommended inflation pressure of 26 psi from the same Firestone plant.

Based on our laboratory testing and results, we were able to make predictions that could be confirmed by real-world data. Then, on May 11th of this year we received the latest claims data from Firestone which showed a rising trend in failure rates for Wilderness AT tires, further validating our analyses and predictive model.

With these pieces of the puzzle coming together, we felt we had sufficient information to take action in the best interest of our customers (Exhibit 2).

Last summer the elevated levels of tire failures on the recalled tires sent a very strong signal. What we learned since then allowed us to analyze failure trends more precisely. So, while claims alone today do not present as strong a signal as last August, our model suggests that the rate of failures is increasing significantly as the tires age—a risk that we cannot ask our customers to accept.

We really had only two choices—wait until more failures proved conclusively there is a growing problem, or act now on the basis of our analyses and the data available. With hot weather driving conditions approaching, we knew the risk of tread separations would increase. As a result, in the interest of the safety of our customers, we could not wait.

Progress to Date

In the first week of June, after reviewing our proposed customer letter with NHTSA, we notified millions of customers of our analysis and the details of our replacement program. At the same time, we were qualifying tires as fit for replacement through our testing processes. We have, so far, identified approximately 60 types of replacement tires. We also reviewed the list with NHTSA to ascertain that there were no pending concerns with the qualified tires.

To build the pipeline of replacement tires, we entered into discussion with tire manufacturers. So far, an additional 2 million tires have been made available, and we have taken 2-3 down weeks at several of our plants to help fill the supply pipeline and give the tire manufacturers time to ramp up production. The desire to quickly increase replacement tire production was another reason we felt we had to announce the replacement program as soon as possible.

We are qualifying tires based on the new testing procedures developed by the Tire Team. In addition, the tire manufacturers are providing claims data from the early warning system developed as a result of the TREAD Act. These data, together with our predictive models, give us confidence that the replacement tires will meet the needs of our customers.

The Explorer is a Safe Vehicle

The data tell us that the problem is with the tires and not the vehicle. There are about 3 million Goodyear tires that were built to the exact same Ford specifications and were put on Explorers during 1995-1997 (and as replacements for these vehicles in subsequent years). These tires are performing almost flawlessly, having generated only 2 tread separation claims. At the same time, a similar number of Explorers built at the same assembly plants but equipped with Firestone tires have experienced 1183 tread separations (Exhibit 3), with the same type of customer and the same geographical/climatic distribution of vehicles (Exhibit 4). The difference in tire failure rates therefore cannot be attributed to the Explorer.

It has been alleged that the reason Goodyear tires had few tread separations is that they are a “B” graded tire according to the Uniform Tire Quality Grading Standards (UTQGS), while the Wilderness AT has a “C” rating. In fact, millions of tires on GM and Toyota vehicles, for example, are “C” rated, but have not had tread separation problems.

Another charge is that the Explorer had insufficient load reserve—or margin of safety—for the tires. The field data show, however, that there is no correlation between load reserve and tread separation claims on these vehicles. Goodyear tires had the same load reserve at 26 psi yet had no tread separation problem. Furthermore, the Firestone 16" Wilderness AT tires, which are specified at 30 psi, had elevated claims even with 300 pounds more load reserve. Lastly, the Explorer’s load reserve is similar to other SUVs.

There have also been allegations that Explorer is causing the tire “problem” since Ford Ranger is fitted with the same tire, yet experienced fewer tread separations. The only time the same size tire was used on the Ranger and Explorer was as an option on the four-wheel drive model of the Ranger. The vast majority of these vehicles were sold in northern climates where four-wheel drive is in high demand. When
Decatur-built Wilderness AT tires (these were recalled by Firestone last August) were placed on 4x4 Ranger pickup trucks in the hot states, they failed at statistically similar rates as the tires on the Explorer. The Wilderness AT tires used as original equipment on the Explorer are also installed as aftermarket tires on a wide variety of non-Ford vehicles and these vehicles have experienced a significant number of tread separations, some resulting in accidents. There are a total of 167 non-Ford claims of tread separation and 66 of these are on competitive SUVs. These claims include claims for tread separations on tires not included in last year’s recall. The total number of Wilderness tires used as aftermarket replacements on competitive vehicles is not known, but is believed to be relatively small, suggesting an elevated failure rate, comparable to that experienced by original equipment Firestone tires on the Explorer (Exhibit 5). In addition, there are 236 claims on Ford vehicles that are not Explorers on these same tires, again suggesting that the problem is with the tires.

In spite of this strong statistical evidence that this is a Firestone tire problem, we were not satisfied to stop at an investigation of the tires alone. As a designer and manufacturer of vehicles for almost 100 years, Ford used its knowledge of vehicle engineering to do an unblinking review of tire-vehicle interaction. All through this process we shared our findings with NHTSA and Firestone.

We conducted 4 major analyses in our safety investigation that focused specifically on the vehicle. We looked at whether the Explorer design could cause an elevated rate of tread separation claims, and we found that this was not the case: we were able to reproduce the tire failure mode in the laboratory, independent of the Explorer, confirming the field data on Firestone and Goodyear tires.

We looked at whether the Explorer behaved differently, compared to peer vehicles, during a tread separation. In all, we tested 24 different vehicles in 60 tread separation tests and more than 1000 vehicle dynamics tests and hundreds of computer simulations; the data we generated confirmed that the Explorer behaves similarly to other SUVs. We looked at whether Explorer behaved differently after a tread separation, and the data show that its performance falls within the range of other vehicles in its class. And we looked at the crashworthiness of the Explorer, and again found that it was comparable or better than peer vehicles. Overall, the Explorer performed similarly to other SUVs before, during and after a tread separation.

Importantly, the results obtained in thousands of hours in the laboratory and on the test track are confirmed by 10 years of real world performance.

The analysis of government data show that the Explorer is among the safest of the comparable SUVs (Exhibit 6):

- The Explorer is 17% safer than the typical comparable SUV in all types of fatal crashes (Exhibit 7).
- The Explorer is 19% safer than the typical comparable SUV in fatal rollover accidents (Exhibit 7).
- The Explorer is safer than the typical comparable SUV in all crash types—front, side, rear and rollover crashes.
- The Explorer is involved in 19% fewer accidents of all types (fatal and non-fatal) than the typical comparable SUV (Exhibit 8).

Explorers have successfully traveled enormous distances in the last 11 years. More than 4 million Explorers have been sold, and over 3.5 million of these are still in service. Explorer drivers have collectively driven the equivalent of more than 13 million years. Explorers have been driven more than 150 billion miles.

Insurance data also show the Explorer has a strong safety record. Data published by the Highway Loss Data Institute (HLDI) show that the Explorer in all its derivatives (such as model type—2 door versus 4 door and 2 wheel drive versus 4 wheel drive) has an injury loss claims record better than the average car, ranging up to 32 percent better.

Explorer has a fine record in government and consumer testing:

- Explorer has scored 4 or 5 stars (the highest rating) in government NCAP frontal and side crash tests.
- Explorer is similar to competitive SUVs in the government’s experimental rollover resistance rating, based on the static stability factor (SSF).
- Explorer received the second-highest rating from the Insurance Institute for Highway Safety (IIHS) in its frontal offset crash tests. Just one SUV got a better rating, while four received lower ratings.

All in all, no other SUV has such a strong combination of field and testing performance.

Analysis of Firestone tire claims data also confirms that the accident and the rollover risk for the Explorer when a tread separation occurs is comparable to other SUVs (Exhibit 9). Since tread separation accidents are still relatively rare events,
the sample size of the data is quite small and the confidence interval is wide. We will continue to share our analysis with NHTSA and Congress to confirm our understanding. However, nothing in the data that we have analyzed supports recent accusations that the Explorer is behaving atypically among SUVs. The Explorer is as safe as other SUVs before, during and after a tread separation.

A recent analysis conducted by Dennis Guenther at the request of Firestone purports to show deficiency in the safety of the Explorer on the basis that it does not have enough “understeer margin” to prevent oversteer in the linear range when it suffers a tread separation at the rear. We strongly disagree with the statements made by Firestone regarding this study. The Firestone test is unreliable because it did not test enough vehicles or conditions to support their conclusions.

- It used too few models (only 2 compared to Ford’s 15 SUV tests).
- It has test repeatability and data reduction issues.
- It tested only on one road surface.
- It did not test the actual event of tread separation.
- It did not test under the demanding circumstances in which tread separations occur in the real world.
- Its results are inconsistent with real-world accident data.

Firestone’s allegations would imply that not only Explorer, but 12 other vehicles made by the world’s leading motor vehicle manufacturers also do not meet Guenther’s understeer criteria (see table below). This illustrates the absurdity of Firestone’s position.

### Vehicles That Show Linear Range Oversteer with a Rear Tread Removed

(All vehicles tested fully loaded)

| 2001 BMW X5 4x4 | 2001 Honda Odyssey | 1996 Chevrolet Blazer 4x2 |
| 1995 Isuzu Rodeo 4x2 | 2001 Chevrolet TrailBlazer 4x2 | 2001 Jeep Liberty 4x4 |
| 2001 Dodge Durango 4x4 | 1995 Nissan Pathfinder 4x2 | 2001 Honda Accord |
| 2000 Toyota 4-Runner 4x4 | 2001 Honda CRV 4x4 | 1994 Toyota 4-Runner 4x2 |

The Explorer, like all its peers and every vehicle made, has handling characteristics which are optimized for safety with four treaded tires. According to our test results, its handling and steering characteristics are remarkably close to those chosen by BMW and Mercedes Benz, as well as the most recent entries from Jeep, Dodge, and even the new TrailBlazer has less understeer than the Explorer. These characteristics help the driver to achieve safe operation in all foreseeable circumstances.

Even the two vehicles that meet Firestone’s understeer criteria have experienced rollover accidents after a tread separation on Firestone tires in the real world.

Finally, we will not accept that a tread separation is a “normal foreseeable event” that manufacturers must accommodate through vehicle design as asserted by Firestone. No vehicle we have tested can deal with a tread separation well enough to avoid a small but significant risk of loss of control with a treadless rear tire. As indicated in Exhibits 10 and 11, other tire manufacturers such as Continental and Goodyear do not accept that tread separation is a normal or common occurrence that should be part of the vehicle design requirements.

NHTSA’s data show that other tire manufacturers have demonstrated that it is possible with current technology to design tires that do not separate. We know the best way to prevent accidents caused by tread separations is to prevent tread separations and that is why we are replacing the Firestone Wilderness AT tires on our vehicles.

### Conclusion

In summary, we have been guided throughout by our number one priority, the safety of our customers.

Ironically, last summer we were criticized by some for acting too slowly. Now, we are being criticized for acting too swiftly. In both cases, we have been driven by the facts and analyses available. We have shared data continuously with NHTSA, Congress, and Firestone. I assure the committee that the decision that we took to replace these Firestone Wilderness AT tires was not taken lightly. The cost of the replacement program is about 3 billion dollars. We feel this expenditure is necessary to protect the safety of those who have put their trust in us. And, we will make that decision any time that the safety of our customers is at risk.
Recalled (August 2000) Firestone ATX and Wilderness AT Tires' Failure Rates Increase Dramatically With Age

![Graph showing the increase in failure rates for Firestone ATX and Wilderness AT tires with age. The graph includes data from Firestone's Decatur Plant, Wilson Plant, and Joliette Plant, as well as Goodyear tires. The probability of tread separation (per million) is plotted against tire age (years). The source of the data is Goodyear and Firestone tire claims data; competitive tire claims rate inferred from Government and supplier data.](image-url)
Firestone Wilderness AT Tires in Ford's Replacement Program
Also Show Failure Rates Increase Dramatically With Age

Source: Goodyear and Firestone tire claims data; competitive tire claims rate inferred from Government and supplier data.
The Tire Is the Issue, Not the Vehicle

Comparison in tread separations claims on roughly 3 million Goodyear tires and 3 million Firestone tires. All of these tires were used on 1995-97 Explorers. The vehicle is the same but the tire performance has been substantially different.

Source: Firestone and Goodyear claims data; Firestone claims include 877 ATX II claims, 220 Decatur Wilderness AT claims, and 86 Wilderness AT claims from other plants which are now being replaced.
Goodyear vs. Firestone Explorer Shipments
to Selected Hot States
1995-1997 Model Year

Number of Vehicles Shipped

- Arizona
- Florida
- Louisiana
- Mississippi
- Nevada
- Texas

1995 Thousand
1996 Thousand
0
2000
4000
6000
8000
10000
12000

Firestone
Goodyear
"Explorer" Firestone Tires Installed as Aftermarket Tires on Other Vehicles Also Have Experienced Tread Separation Incidents (According to Latest Firestone Claims Data)

These tires were sold as original equipment only on Ford vehicles. The number placed as aftermarket on these competitive non-Ford vehicles is not known, but is believed to be small.

Source: Firestone Claims Data Through December 2000
Explorer is Among the Safest Compact SUVs

- Tire cited as a factor in the accident
- No tire cited as a factor in the accident

Safety Rates per 100 Million Vehicle Miles of Travel

**SAFER**

VEHICLES INCLUDE: Chevrolet S10/T10 Blazer, GMC S15/T15 Jimmy/Envoy, Honda Passport, Isuzu Rodeo, Isuzu Trooper, Jeep Cherokee, Jeep Grand Cherokee, Mitsubishi Montero, Nissan Pathfinder, Oldsmobile Bravada, Toyota 4Runner

Explorer is safer than other SUVs in all accident types, and rollovers specifically.

**All Accident Types**

- Other Compact SUVs: 1.3
- Explorer: 1.1

17% SAFER

**Rollover Accidents**

- Other Compact SUVs: 0.9
- Explorer: 0.7

19% SAFER

Explorers Are in Accidents Less Often Than Competitive SUVs

19% SAFER

Accident Involvement Rate per 10,000 Vehicle Years in Service

Competitive Compact SUVs  Explorer

- Rollovers
- Rear Impacts
- Side Impacts
- Frontal Impacts

Explorers and Other SUVs Have Similar Rates of Accident or Rollover Following a Tread Separation on Firestone Tires

Source: Firestone claims data obtained July, 2000; subsequent Firestone claims data provided to Ford contains very limited competitive information.
Mr. Carlos Mazzorin  
Group Vice President  
Global Purchasing & South America  
Ford Motor Company  
One American Road  
Dearborn, Michigan 48126-2798

Hanover, June 14th, 2001

Dear Carlos,

Regarding our recent phone conversation, I would like to summarize my opinion as follows:

At Continental, we accept that it is our role to design and manufacture tires that meet the exacting quality and vehicle load specifications of our original equipment customers. In designing their vehicles, our customers may justifiably rely on the quality and performance of our product.

We do not accept that tread/belt separations are a normal or common occurrence and that tire failures as a result of tread/belt separations are to be expected. Original equipment manufacturers and their customers may assume that their tires will not experience tread/belt separations and failures, if properly maintained, not abused and not damaged by road hazards.

Please do not hesitate to contact me anytime with questions or further information.

Sincerely,

Stephan Kessel
The Goodyear Tire & Rubber Company

Akron, Ohio 44316-0001

June 14, 2001

Mr. Carlos E. Mazzorin
Group Vice President, Global Purchasing & South America
Ford Motor Company
One American Road
PO Box 1899
Dearborn, MI 48121-1899

Dear Carlos,

As the largest supplier of original equipment tires in the industry, Goodyear has unparalleled experience in providing high-quality tires that meet the wide range of performance requirements from our auto-manufacturing customers. As a company we have systems and processes in place, including dedicated resources, to deal with the exacting requirements of meeting vehicle load and performance specifications necessary to assure that only the highest quality products reach consumers.

Regarding your specific inquiry related to Goodyear’s experience in the testing of vehicles under tread separation conditions, there are no manufacturers that currently require, or have even raised the subject of, testing under this type of condition for stability in their vehicle systems’ procedures.

While the phenomena of tread separation is a rare occurrence for tires, everyone needs to understand that it is a condition that can occur through misuse, abuse, overloading, or severe under-inflation, and accidental road hazard.

Sincerely,

Bryan L. Kinnamon, Vice President
Original Equipment
North American Tires

kmj

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Mr. STEARNS. Mr. Nasser, thank you very much.

Before we start, I just want to caution the audience that we have to have an aisle between the different rows of chairs. So if you can't find a seat, certainly open up that aisle, so that from the fire marshal's standpoint, we can move about.

Mr. Nasser, we certainly welcome the UAW employees here. You'll be happy to know that a lot of the Ford dealerships have also called us, so we're getting a lot of participation from Ford, and we like to hear from our constituents.

I'm going to open up and when I'm in a similar situation, like yourself, I always say, I am open for hospitable questions. So that's where you are today. And I want you to know that this committee is intent, while some of these questions might be pointed, that the purpose is with our not having the knowledge you have, or NHTSA. We are struggling, as Mr. Strickland said, to understand what these claims data mean.

Is it operator error? Or is it possibly just a case of a malfunction of—a one-time malfunction? Or is there a consistency here from an engineering standpoint that we need to correct?

So if you will bear with us as we go through this, we'll be asking some questions, hopefully just to try and educate us as well as the public.

On the issue of Ford's temperature test—I'm from Florida where there's a lot of heat. After reviewing your data, I wonder whether these temperature tests were truly a valid comparison of the Firestone tire. As I understand it, you tested a total of 40 tires of varying sizes. Out of these 40 tires, 33 were Firestone tires.

Could you explain how these tests, when a majority were Firestone tires, are a valid comparison of the other tires; and also, since most of us have a lot of questions here, it would be very helpful if you could be concise in your answers so that we could just move quickly through.

Mr. NASSER. We did have exhaustive tests of tires, both old tires and new tires, and we analyzed field data of 146 cases. We conducted extensive vehicle on-road testing, including 24 different vehicles, and we tested——

Mr. STEARNS. Mr. Nasser, as I understand, those were not, the 146, temperature tests. The temperature tests you did, at least from my notes, were on 40 tires, of which 33 were Firestone tires; is that correct?

Mr. NASSER. That is correct.

Mr. STEARNS. Okay. So we are not talking about 146.

Mr. NASSER. Ford's testing was consistent. I heard earlier that we were testing old tires versus new tires. That is not true. We tested old Goodyear tires versus old Firestone tires. And the reason we had to test only Goodyear is because they were the only tires that were fitted previously on Firestone—on Explorer, other than Firestone tires.

And we did test new Goodyear versus new Firestone versus new Michelin's, and also new General/Continental tires. So in our view—and we've shared all this data—we think the testing was valid, indicative of what we'd expect tires to go through, and we think it was a fair test between the brands.
Mr. STEARNS. The only thing that I first felt when I heard that out of the 40, 33 were Firestone, you would think that you would have more Goodyear, or at least there’d be a more disparate representation.

So—I mean, that’s what I’m trying to get at because it’s that decision on your part, on that test dealing with temperature, which is—I am from Florida—is a very important test. I am trying to understand how you could make a decision under that kind of statistic where you had—33 were Firestone out of 40.

Mr. NASSER. Every test that we did went through data, statistical analysis, in terms of its significance; and we will share that data with you. And if you—if you look at it, we believe is it statistically significant.

Mr. STEARNS. Okay. Let me move on to another area that all of us were a little concerned about, and it’s dealing with the ratings on these tires.

I don’t think my wife when she goes to look at a tire knows whether it’s a C-rated or B-rated; and frankly, at this stage of my life, I am not looking at it either. But you supplied this committee with charts showing that the Firestone Wilderness AT 15-inch tire runs hotter than the Goodyear Wrangler RTS 15-inch tire. The Firestone tires you tested had a C rating, whereas all the other tires you tested had a B rating.

Because Ford designed the specifications, you sat there and said, “These are the specs that you must abide by, Subcontractor.”

Was there any real surprise that the Firestone tires tested hotter than the Goodyear tires, just based upon that rating; and is that C and B meaningful?

Mr. NASSER. Well, the first thing is, we do not specify a B- or C-graded tire, and neither does any other manufacturer. We’ve got performance specifications that are the same.

Mr. STEARNS. Well, let me ask you this, Mr. Nasser.

Is there a difference between a C and B rating on a tire? Does it have any meaningful difference?

Mr. NASSER. There may be some difference. We don’t believe it anything significant in terms of tread separation.

Mr. STEARNS. Okay.

Mr. NASSER. And by the way, I should add——

Mr. STEARNS. Yes?

Mr. NASSER. [continuing] that many of our competitors, including Toyota and General Motors, use C-grade tires on sport utility vehicles.

Mr. STEARNS. Well, just the data we had from General Motors, they indicate it should be a B-rated tire. You know, that’s just one competitor.

Mr. NASSER. They use C-rated tires, and interestingly enough, Firestone did not mark the tires with a temperature grade until we believed, sometime in 1999 or the year 2000, and on at least two occasions, in 1995 and in 1999, we were told by Firestone that the tires were B-class tires.

Mr. STEARNS. We have a couple of charts here that we have put together, our staff, based upon the information you gave us. That one the staff is just putting up will show that the General Grabber
AT tire, based upon the information you gave us, has a higher rating than the Wilderness AT; and that the Wilderness AT, relative to the General GS 60 and the other tires, is, you know, a little higher. But it’s not so significantly higher to, in our minds, understand why such a major recall decision would be made.

And so I am saying, this is a graph we’ve put together from your information.

Mr. NASSER. You know, I go back to the initial discussion. We can peel this data, piece by piece. We can look at temperature, we can look at peel strength, we can look at all different types of things. In the end, you’ve got to look at field data.

One particular element, an attribute of a tire doesn’t tell the complete story, and that’s part of the confusion that we’re getting in the marketplace, and that’s part of the reason Congressman Stupak highlighted that headline in the press.

You cannot take one particular aspect of a tire. You must look at the overall performance, and that’s what we did.

Mr. STEARNS. I thank you. My time has expired.

The gentleman, my colleague from Florida, Mr. Deutsch.

Mr. DEUTSCH. Thank you, Mr. Chairman.

And thank you, Mr. Nasser, for your testimony.

I’d like to focus a little bit on the chairman of the full committee, and really, I appreciate his effort. And this—really part of our job in just trying to inform consumers a bit more, and as has been discussed, by the end of this hearing, I don’t think we’ll get to the final answers, but I think we can provide that function reasonably well.

Obviously, you know, you express the condolences—I think all of us do—of the deaths that occurred from the Firestone tire failures. Most of these failures, as you well know, were also on Ford Explorers. From a consumer perspective, I think hearing your answer to this question is helpful.

Why is the Explorer so difficult to control when there is tire—when there is tread separation?

Mr. NASSER. That’s your question?

Mr. DEUTSCH. Yeah.

Mr. NASSER. All vehicles have, the Explorer does not handle any differently than any other sport utility vehicle. It’s in the middle of the pack, and we have testing that will support that.

Most vehicles do not handle very well when you lose a tread. Vehicles are not designed and specified and set up so that they can handle tread separation easily, although you would have to say that even with—even from Firestone’s own data, 90 percent of the Explorers do not roll over even when there is a catastrophic tread separation.

Mr. DEUTSCH. Let me follow up.

Mr. NASSER. So I’m not sure, what is the thrust of your question.

Mr. DEUTSCH. Well, the thrust, I guess, is——

Mr. NASSER. If the thrust of the question is for manufacturers to design vehicles that would handle tread separation, I think that would be a losing proposition for our customers.

Mr. DEUTSCH. Let me just refer to a memo from Donald Tandy of Car Engineering, which is in the packet we’ve submitted for the record. Mr. Tandy was a frequent expert witness for Ford, says
that the driver of an Explorer died when the tread separated because the driver did not steer the vehicle in a controlled way.

Mr. Tandy has given this testimony in numerous lawsuits. Last year he told the committee staff how simple it was to handle a tread separation at highway speeds, and we have videos of Mr. Tandy’s demonstrations.

Is it still your position that the average driver is different from Mr. Tandy, who’s testified for Ford, and should be able to drive safely on the shoulder and stop a vehicle in this situation?

Mr. NASSER. Our contention is that tread separations should be a very, very unlikely event; and different—different drivers will react in a different way. So I am not trying to predict how drivers will react because they will react in a very different fashion.

Mr. DEUTSCH. Well, let me just repeat the question. Is it the position of Ford Motor Company that an average driver of a Ford Explorer ought to be able to drive safely to the shoulder and stop a vehicle without an incident when there’s tread separation?

Mr. NASSER. That is true. But it also—I should say that the Explorer doesn’t handle or behave any differently than a typical sport utility vehicle in that situation.

Mr. DEUTSCH. So I guess I am trying to understand if that is a catastrophic thing that we can’t plan for, or deal with; or is it something that if it occurs, you ought to be able to drive to the shoulder of the road and not die.

Mr. NASSER. In most cases, you should be able to drive to the side of the road and based on all the data that we have, including the Firestone data, nine times out of ten, that does happen.

Mr. DEUTSCH. Okay. And is that the case in the 203 people who died? There were 2,000 incidents and only 10 percent——

Mr. NASSER. Mr. Deutsch, we feel very sad about those 203 people. That’s why we are moving to replace 13 million tires. That’s exactly what we’re doing. We don’t want to be sitting here talking about further tragic deaths and accidents and having esoteric discussions about the behavior of a vehicle when a tread separation occurs.

Mr. DEUTSCH. Okay. And again I guess I am just trying to focus, from a consumer perspective in terms of driving a Ford Explorer. Is that Mr. Tandy, who my understanding is your lead expert in terms of the court case that is involved in this, then his testimony is correct or not correct?

Mr. NASSER. I have to look at his testimony in detail. I haven’t done that. I am answering your question in the spirit it was asked. The Explorer handles in a typical fashion, as other SUVs nine times out of ten, based on the data Firestone provided.

Mr. DEUTSCH. Let me in the final question in a deposition on Thomas Bogaman, Ford’s quality control officer, taken on December 21st, Mr. Bogaman testified that it was his opinion that all Firestone Wilderness AT 15-inch tires were not, and I will quote, “robust against variations in inflation pressure and in operating condition, load and speed” close quote. If Mr. Bogaman knew that last December, why didn’t Ford recall the Wilderness tires at that time?

Mr. NASSER. It’s Mr. Tom Baughman. He is an engineer with Ford, and he’s a very competent engineer. In that particular in-
stance, as an example, we don’t agree with his conclusion; and that’s not a problem for us. You know, we have a company where we encourage people to develop theories and knock them down and look at data; and if you look at the data, it isn’t supported by his—

Mr. STEARNS. The time of the gentleman has expired.

The chairman of the Oversight and Investigations Committee, Mr. Greenwood, is recognized.

Mr. GREENWOOD. Good morning, Mr. Nasser. I don’t envy you. You have a very difficult challenge on your hands to—I believed you and took you at your word when you sat with me and members of the committee 4 weeks ago and told us that you felt a strong obligation to your consumers to protect their safety; and they think you’re doing that. And I think it’s obviously understandable that you have a obligation to your stockholders and your employees to do what’s right for the company at the same time. But I do want to get to this comparison.

One of the questions that’s plagued us as we looked at this is this question of which tires one would choose to recall and which tires one would use to replace them, and the confusing sets of data that I’m sure you needed to rely on to some extent and were confronted with.

If you compare the Firestone Wilderness AT and the Goodyear P235/75R15 tires, the committee’s prepared a chart that sets forth the percentage of tires that had belt leaving belt at each plant; and that chart is available to your left. So according to this chart, which was prepared using data supplied by Ford, the Goodyear Lawton plant has a very similar belt-leaving-belt percentage, as do the Firestone Wilson and Joliette plans.

Can you follow that there, sir?

Mr. NASSER. Yes.

Mr. GREENWOOD. Okay.

However, the Firestone Aiken plant has had no tires tested with belt leaving belt.

So the question is, how could Ford—how did Ford decide to replace Firestone tires with no tread separation from its own tests with a Goodyear Wrangler RTS tire that has tread separation?

Mr. NASSER. Mr. Chairman, this was one of the toughest decisions for us, because we’re generally data driven. We look at it and we try and decide strictly on data; and in this case, we had to go a little bit further. And I’d like to just take you through the thinking and the rationale behind the parameters of the tire recall, the 13-million-tires recall; and they really fall into four categories, and they’re different, and that’s why I say this is complex.

The first one is, we looked at field data and we saw the field data increasing, real-world data, what was going on in the field. And when we looked at that, it was very clear that the Wilson plant tires were a risk.

In addition to that, we looked at statistical analysis, what we call a hazard plot, which looks at the prediction of aging of these tires over time. And that showed rising trends for Wilson and Joliette. So at this point we had Wilson because of field data, we had Wilson and Joliette because of field data and our statistical prediction of aging.
We then went through our lag tests where we looked at peel strength, wedge width and also temperature, and that showed risk of failure for Wilson, Joliette and also Decatur. So now we had almost all the population of these tires.

We were left with the Aiken plant. Aiken is a new plant. It’s very automated. Its manufacturing and quality variability is the best of the Firestone plants. Based on everything that we’ve seen, is it a world-class plant. But our customers’ confidence in all of these Wilderness AT tires, we knew just wouldn’t be there.

So when we sat back from it all, we didn’t want our customers to be crawling under their vehicles looking for Aiken manufacturing. We didn’t want them to be sitting here a year from now, because we didn’t have a lot of experience on Aiken. Aiken’s a new plant, the tires maybe haven’t been out there long enough.

So we made a judgment call on Aiken, and your data is probably right there. Aiken would fall within the category of a pretty good tire.

Mr. GREENWOOD. Did you do a similar analysis of the Goodyear tires that would have shown that there are Goodyear Wrangler RTS tires with tread separation?

Mr. NASSER. We did, we did—all very similar analysis on Goodyear. But in the final analysis, all of the testing and all of the hypotheses doesn’t really mean anything unless you can correlate it to real-world data, field data. And in the case of Goodyear, we went back to the field and, guess what, the tires performed well with customers.

Mr. GREENWOOD. Okay. Let me go to another question here.

Ford has emphasized the rig test results, asserting that it could not fail a Goodyear tire at less than 26 pounds of air pressure, or anywhere from 40 to 42 percent of Firestone’s Wilderness AT tires, depending on the plant, failed at such lower pressures. What Ford didn’t tell us, however, was that several of the Goodyear tires failed at exactly 26 psi.

Ford also didn’t tell us that it did not test any 16-inch Goodyear tires at less than 26 psi during its rig tests, yet it included the 16-inch test results in its various presentations to this committee. And even though it did test a small number of 15-inch Goodyear tires at low inflation pressures, without failure, almost half of those Goodyear tires were new tires as compared to the Firestone tires tested at those same pressures, 85 percent of which had been designated by Ford as “old” because they had been used on vehicles for more than one summer.

Do you really think that these tests were comparable?

Mr. NASSER. First of all, we always go back to the field data. Second, we do believe those tests were comparable because we tested old versus old and new versus new in every case.

Mr. GREENWOOD. If I can interrupt you, sir, we’re trying to make a separation here between the field testing and the rig testing because you’ve presented data from both sources.

If you look at that chart there, you see that when it came to testing the Firestone tires, 85 percent of the tires you tested were old tires; then you went over to do similar rig testing on the Goodyears. Only 54 percent of those were old tires. So I am not sure how you call that a comparable test.
Mr. NASSER. We can debate the e-percentages all you like. Those percentages are probably meaningless, frankly, because in the end you have a sample size that is—statistically gives you confidence, and we think it does, and doesn't represent an apples-to-apples comparison, and we think it does. Those percentages could——

Mr. GREENWOOD. In all due respect, sir, to some extent you've got old apples versus new apples, and that is significant.

Mr. NASSER. I don't know whether that is true or not. We tested old versus old and new versus new, and if you've got data that shows we came to conclusions by comparing old to new and new to old, please show us that data.

Mr. GREENWOOD. My time has expired.

Mr. STEARNS. The time of the gentleman has expired.

The ranking member of the full committee, Mr. Dingell, from Michigan is recognized for 5 minutes.

Mr. DINGELL. Mr. Chairman, thank you.

Mr. Nasser, I think these questions will be susceptible to yes or no answers. Does Ford tell its tire suppliers, like Firestone, what materials must be used to build a tire for a Ford vehicle?

Mr. NASSER. No.

Mr. DINGELL. Does Ford specify how wide the wedge rubber between the belts on the tires should be?

Mr. NASSER. No.

Mr. DINGELL. What about the skim stock for the tire does Ford dictate that this tire compound should be of one kind or another to its tire suppliers.

Mr. NASSER. No.

Mr. DINGELL. Does Ford tell its tire suppliers how many body plies or steel belts should be in a tire?

Mr. NASSER. No.

Mr. DINGELL. Mr. Nasser, with regard to the Firestone ATX and Wilderness AT tires that have been recalled over the last year, did Firestone make all these decisions regarding engineering and construction of the tires?

Mr. NASSER. Yes.

Mr. DINGELL. Mr. Nasser, why doesn't Ford indicate in its specifications for the construction of tires?

Mr. NASSER. Well, no other manufacturer does that. The tire manufacturers are the experts on producing the tire, the design and manufacture of the tire. And the way we specify tires, we believe is consistent with other automotive companies; and the way we specify tires for Firestone is the same way we specify tires for Goodyear and the other companies.

Mr. DINGELL. So Ford requirements are performance specifications, not engineering, construction standards?

Mr. NASSER. That is right.

Mr. DINGELL. And you gave the same to all the manufacturers for the same vehicle; is that correct?

Mr. NASSER. That's true.

Mr. DINGELL. Now, Mr. Nasser, what sort of requirements does Ford identify in its performance specifications?

Mr. NASSER. We look at a whole list of different specifications which include speed ratings and handling, wet weather conditions,
snow conditions and probably four or five other characteristics that relate to the tire and the way it relates to the vehicle.

Mr. Dingell. So the performance specifications Ford gave Firestone for Wilderness AT tires were essentially identical to specifications you provided to Goodyear and other manufacturers when they supply tires for the Explorer; is that correct?

Mr. Nasser. Congressman, I looked at the specification sheets for Firestone and Goodyear recently, dating all the way back as many years as we could go, and they are identical.

Mr. Dingell. I would ask unanimous consent that those be put in the record; and I'll submit them to the committee, Mr. Chairman.

So both Firestone and Goodyear built these tires for Ford based on the same information and specifications; is that correct?

Mr. Nasser. Yes.

Mr. Dingell. And so even though two suppliers built tires for Ford Explorers based on the same performance standards, we see that the result was different. Firestone tires had over 1,100 tread separations and Goodyear tires had only two; is that right?

Mr. Nasser. Yes.

Mr. Dingell. And the number of tires manufactured by both of these was not startlingly different; they were within a few percentages of the total number of tires, of equal parts of the

Mr. Nasser. Millions of tires on similar vehicles, and these vehicles operated in very similar geographic conditions.

Mr. Dingell. Now, Mr. Nasser, it's been said that Ford shifted from Goodyear to Firestone because Firestone would give you a better price. Did that change the performance specifications of the tires, the requirements for safety of the tire on the vehicle?

Mr. Nasser. No, it didn't, and—

Mr. Dingell. Should it have?

Mr. Nasser. Absolutely not.

Mr. Dingell. Thank you.

Mr. Chairman, I yield back the balance of my time.

Mr. Stearns. The gentleman yields back the balance of his time; and the distinguished chairman of the full Energy and Commerce Committee, the gentleman from Louisiana, Mr. Tauzin, is recognized.

Chairman Tauzin. Thank you, Mr. Chairman.

Mr. Nasser, let me first start by frankly thanking you and Ford Motor Company for doing what the TREAD Act intended, and that is taking time and money and spending it on extensive testing, rather than relying upon body counts to make a decision as to whether a product is safe for the road. And, frankly, I hope in 30 days to be able to express similar thanks to NHTSA.

I am going to reserve judgment until I see how good a job they have done with dollars and the new authority we've provided under the TREAD Act, so I'll wait and see.

But having said that, let me also acknowledge that Ford has an absolute right to replace any part of, you know, the product line that you want to replace, in your opinion, for the safety of your customers. I think you have every right to do that; and frankly, I again want to applaud you for making a very expensive decision to
do that, because you believe it’s in the interest of your consumers’ safety.

But having said that, we’re still left with a great deal of confusion as to some of the decisions you made, and why, and what implications it has for the consuming public, particularly people who are using the same tires on other vehicles made by other companies. And that’s why we’re getting into these questions of how comparable were these tests, and how broad your recall was, and what implications it has for the consuming public and for other companies.

You’ve heard, I think, one of the members make the point that this massive recall has the potential of severely rocking the solvency and the future of the Firestone company itself. It is so massive and implies so much about confidence in the Firestone product that, obviously, questions arise as to why so massive a recall; and so I’m going to ask you a few questions about that.

First of all, is it true that you have recalled some lines of Wilderness AT tires that Ford never even tested?

Mr. NASSER. I don’t know whether that’s true, but I— I wouldn’t doubt that because we looked at a broad range of tires; and as I said, in the end, it became a question of what is right for our customers.

Chairman TAUZIN. Well, here’s our problem: You see, we’ve identified four other lines that you’ve recalled, one a Wilderness tire, P215/72R15, that is not only used on the Ford Ranger, but it’s used on the Isuzu Rodeo and on a Mazda vehicle; and you have not— according to our information, you have not run any tests on those tires, on that line of Wilderness tires.

You’ve also recalled a tire that is used on another tire used on a Mazda on which you’ve made no tests.

There’s a third line of Wilderness tires that is used on General Motors products—Suburbans, for example, and Blazers, Sierras, Yukons—that you have recalled and run no test.

Mr. NASSER. Mr. Chairman, they’re different tires.

Chairman TAUZIN. They’re the tire that you recalled; the P265/75R16 has been recalled.

Mr. NASSER. They are different tires.

Chairman TAUZIN. How—how are they different?

Mr. NASSER. They are different tires. I can tell you that, and you can believe me or you can have it checked. They are different tires.

Chairman TAUZIN. Well, are the Wilderness tires used on Isuzu and Mazda different tires?

Mr. NASSER. Mazda is part of the Ford Motor Company, so I’m not sure about that specific tire.

Chairman TAUZIN. You understand that they’re the same tire, and in addition, we have another one, Wilderness AT1/P265/75R15, that’s also used on a Mazda that you’ve recalled.

Mr. NASSER. Mr. Chairman, we didn’t test every single tire ever made in the history of this world. We didn’t. We had to stop. It was a question of, do we keep testing, do we keep studying, do we keep reviewing; or do we go out there and act in the interests of our customers?

And, yes, we are guilty; we decided to go out there and be nimble and act for our customers. I took—
Chairman TAUZIN. But you—Mr. Nasser, I have got a limited amount of time.

The problem we have, sir, in understanding this recall and shedding light on it is that tire lines are being recalled, and your company has provided our committee with no data indicating the basis upon which these particular lines are being recalled.

Can you——

Mr. NASSER. Mr. Chairman——

Chairman TAUZIN. If I ask you for this on the record, would you agree to supply to us any data you have that indicates why these tire lines were recalled?

Mr. NASSER. If we have the data, we'll supply it to you. If we don't have the data, and you want us to test it, we'll go and test it; but in the absence of that, we acted for the safety of our customers.

Chairman TAUZIN. I am not questioning your motives.

Mr. NASSER. But I am not sure where the question is heading.

Chairman TAUZIN. The question is simply that if these tires are being used on other vehicles——

Mr. NASSER. They're different tires except for the case of Mazda.

Chairman TAUZIN. Mr. Nasser, in some cases, they're the same tire; and if they're being recalled only on the Ford vehicle, but not on the other vehicle, what—what—how much confusion does that create for the consumers on the other vehicle?

Mr. NASSER. Mr. Chairman, we are recalling the Mazda vehicles.

Chairman TAUZIN. All right.

Second, you're replacing some of these recalled tires with tires manufactured by other companies, other than Firestone, and you have heard some of the conversations we have had regarding this. We're giving this information to NHTSA, but our investigators tell us that one of those tires, one of the replacement tires, has a claims rate of 124 per million, way in excess of the 5 per million that you indicated to us was the benchmark for this recall.

How can you justify replacing a tire that fails 5 out of a million with one that has a claims failure rate of 124 out of a million; and are we going to be in another cycle of recall later on?

Mr. NASSER. Well, we can't justify it, and if the facts are right, the first time we heard about it is when we read about it in the newspaper this morning. Every tire that we put on the replacement list was looked at and reviewed by NHTSA. We wanted to see whether there was any indication of that data.

There is one tire——

Chairman TAUZIN. Mr. Nasser, let me stop you there. NHTSA will testify later today that your company did, in fact, ask if there was any data on these replacement tires that indicated that they were the subject of a safety investigation.

Mr. NASSER. Right.

Chairman TAUZIN. NHTSA will testify they did not approve the replacement tire lists that you submitted, and I just want to put that on the record.

Mr. NASSER. Okay, I agree with that. I didn't say——

Chairman TAUZIN. But my question is, if NHTSA determines in the next 30 days that some of these replacement tires that you have on your Web site as authorized replacement tires for the Fire-
stones you’re taking off do, in fact, have a safety concern or a worse safety record than the Firestone tire you’re taking off, what do you plan to do about that?

Mr. NASSER. Mr. Chairman, we shouldn’t be waiting 30 days if that data is accurate; we should be acting in 30 minutes. I think it’s a question of determining, is the data that you have, that no one else seems to have, if you have it and it’s accurate, we’ll act on it; if it isn’t, then we’ll continue.

Chairman TAUZIN. If I can have 1 additional minute, Mr. Chairman.

Mr. STEARNS. Without objection.

Chairman TAUZIN. The third question is one I told you I would ask you on the record, and I need an answer to it. You said the real-world test, regardless of all these tests—and we can debate how accurately and comparably they were done, or how comparably Firestone’s test of your vehicle was done—the real-world test was when Goodyear tires were actually put on Fords, and they performed better than Firestone tires in the mid-90’s. But the evidence, the evidence you just submitted to us, was apparently a message to Gary Hagan of Goodyear in 1998, and I’ll read it to you.

“Though Goodyear has previously reviewed the price level, your quote for 100 percent of the tire volume, which is the same as the current price, based on today’s 68 percent supply”—apparently you were using 68 percent Goodyear tires up until this point that—“your quote for 100 percent sole sourcing is not competitive. As you’re aware, we’re investigating a single-sourcing of the tire based on your uncompetitive price. Goodyear cannot be sourced on this fit.”

The conclusion we reach is that in 1998 you switched back to sole-sourcing Firestones solely because of price differentials with Goodyear; is that correct?

Mr. NASSER. I wish we’d stayed with the Goodyear tires, Mr. Chairman, in retrospect.

But I’d have to say no, because during the same period, the answer to your direct question—if you look at the same period, that same year and the year following that—Goodyear’s percentage of Ford tires, tires used on Ford vehicles, actually went up; and it went up because during that period we wanted to balance tire sourcing between the companies. Goodyear went from 20 percent, 22 percent of total supply to about 35 percent on an overall basis.

Now, that doesn’t get to your specific question.

Chairman TAUZIN. Could you get to it for me? Why did Ford start buying Goodyear tires in 1996 and stop buying them in 1998 for the Explorer, when you now know that Goodyear was much better?

Mr. NASSER. Goodyear is much better, and the reason primarily was driven by—and we did it on many other components, other than tires, that is, to have a single design source for major components, because you don’t want to go engineering, validating, testing multiple sources.

I would like to say, however, based on your question, that decision was made in 1994, I believe. Between 1994 and 1997, Goodyear reduced the price of their tires greater than Firestone reduced
the price of their tires; and the difference between Goodyear tire costs and Firestone tire costs by 1997 was 10 cents a tire, and I don't think we would get down to making major sourcing decisions that would compromise any vehicle attribute over 10 cents.

Chairman Tauzin. Thank you, Mr. Chairman.

Mr. Stearns. The time of the gentleman has expired.

Mr. Strickland is recognized for 5 minutes.

Mr. Strickland. Thank you, Mr. Chairman.

Mr. Nasser, we're not talking about a recall, are we? Isn't this something other than a recall that we're discussing here?

Mr. Nasser. You know, that's a good question, because in almost every sense this is a recall. We call it a replacement program for a number of reasons.

The first reason is not all of the tires obviously have a safety defect. Second, traditionally the tire company would institute and manage the recall. And I think, third, we wanted to move quickly. We're handling everything else from a customer viewpoint as if it were a recall.

Mr. Strickland. Another question. Is it possible that the recall is as large and massive as it is, not only related to safety concerns but because as a company, you're concerned about consumer confidence?

Mr. Nasser. When I described the four steps that we went through in terms of determining the scope of the recall, the Aiken tires in particular—and I think one other Firestone tire—would fall in the realm of a world class tire. So I would classify that as a customer quality assurance action.

Mr. Strickland. I asked that question based on my own experience, because I had tires that weren't recalled during the first recall, and lots of my constituents would walk out, look at my tires and say, why are you driving on those tires, you should get those replaced; and I would explain to them that they weren't a part of the initial recall.

But I assume—and this is—an assumption that I am making, but I have assumed that from a company viewpoint, you want to make sure that your customers have a high level of confidence in the product that you're getting—that they're getting from you. I direct that question to you, because there have been questions raised here this morning about why you're doing this, and several people have said, you've got a right to do it, you know—

Mr. Nasser. I'll say to you, we have no doubt about why we're doing it. We're doing it in the interest of our customers' safety and peace of mind. It is as simple as that, and, you know, you hear a lot of reports about how difficult a decision this is and maybe there are other factors behind it. It's straightforward, very straightforward. That is the type of company we are. We are doing it because we believe strongly that it's what our customers would want the Ford Motor Company to do.

Mr. Strickland. In one of your answers to Mr. Dingell, you indicated that you have a performance standard which you require of the manufacturers of the tires you use. There have been questions raised about why you went to Firestone as a sole source, and implications raised that you did that in order to save money. But if in fact you have the same performance standards, it seems to me that
it just makes sense to go to the company that can provide a product for the cheapest price, if the performance standards are identical and have not been compromised. Is that correct?

Mr. Nasser. It is. And I should say, you know, we’re perhaps painting everything in a very negative sense here. Firestone and Ford had a very long history, and Firestone produced incredibly good tires over a long, long period, and during that period when—in the early nineties when the sourcing decisions between Firestone and Goodyear were being undertaken by the company, Firestone ranked as the No. 1 quality tire supply. So there was no question at that point of Firestone’s quality and their commitment to high standards.

Mr. Strickland. This action is costing Ford a great deal of money.

Mr. Nasser. It is.

Mr. Strickland. And that is a burden that’s being borne directly by Ford Motor Company, without any assistance from Firestone, the supplier of the tires. Right?

Mr. Nasser. It wasn’t even a consideration for us as to who should pay this, and our primary concern was we needed to move quickly. And I am sure in hindsight we’ll go back and there will be some little bits and pieces that we didn’t do absolutely perfectly right, but I’d settle for that, because we wanted to move quickly to safeguard the safety of our customers. And we didn’t really waste a lot of time sitting back saying, well, I wonder who will pay for all of this.

Mr. Strickland. One final quick question. Are you somewhat puzzled at the reaction that you’re receiving some—from some of us?

Mr. Nasser. Not anymore, I’m not.

Mr. Strickland. I yield back, Mr. Chairman.

Mr. Greenwood. The Chair thanks the gentleman and recognizes for 5 minutes the gentleman, Mr. Deal.

Mr. Deal. Thank you, Mr. Chairman.

Mr. Nasser, in your opening statement, you made a great deal about the difference between the Firestone tires’ performance and the Goodyear tire performance and the failure of Firestones in excess of 1,100 versus 2 failures by Goodyear. When did that information first become known to Ford?

Mr. Nasser. We started to look at that information during last year’s 6.5 million recall. Up to that point, even the 1183, although it sounds like a high number, you know, when you’re dealing with millions and millions of tires, it really wasn’t very evident to us. So it was during the investigation of last year’s recall.

Mr. Deal. So not until 2000 did these statistics begin to attract any attention?

Mr. Nasser. I’m sure they were around, both in the company and in the tire companies as well, but they didn’t raise the awareness to a point where it was alarming to us.

Mr. Deal. And your statement that you have to look at field data as the best basis for making any decision—now, when these Firestone tires were selected, you had no field data at that time, did you?
Mr. NASSER. If you recall, one of the provisions of the TREAD Act that was passed last year by Congress was that field data would become readily available on a prompt basis so that we could look at it and that—it was transparent to everyone, not only to the tire companies.

Mr. DEAL. But you first of all had no field data when the tires were selected. What field data did you attempt to compile between the years these tires were first put in place and 2000 of last year when these statistics became available and knowledgeable on your part?

Mr. NASSER. I don’t understand the question. I’m sorry.

Mr. DEAL. Did Ford conduct any tests or maintain any records of field data during the time these tires were first selected, which had no history, and 2000? Did you maintain any records?

Mr. NASSER. I don’t know the specific answer to that question. I’ll get to you on it.

Mr. DEAL. So if the chairman’s date of 1998 is correct when you switched to Firestone as the sole source and dropped the Goodyear tires which in 2000 you learned had been performing very, very well, you indicated that it obviously was not on a price factor, because Goodyear had reduced their prices greater than Firestone between 1994 and 1997, you said.

Mr. NASSER. Congressman, I should say that the decision to drop the Goodyear tires on Explorers was actually made before we fitted the first Goodyear tire on an Explorer. So there wasn’t any field data available anywhere.

Mr. DEAL. So it was—so when you say that——

Mr. NASSER. We dropped the tire before it was even sourced on the Explorer. We made the decision to source Goodyear, and we made the decision to desource Goodyear on Explorer before the first Goodyear tire was actually installed on an Explorer.

Mr. DEAL. So it appears to me, Mr. Nasser, you’ve made two conflicting statements. On the one hand you said that you make decisions based on field data, which you now say you had none. Second, you said you did not make a decision based on price, since you said there was only a 10 cents difference. Then if you did not make it on field data and you did not make it on price, on what basis did you make the decision?

Mr. NASSER. Oh, no. I didn’t say that at all.

Mr. DEAL. Which part did you not say?

Mr. NASSER. Let me go back, because your question came at me from 10 different questions and I couldn’t handle 10 different directions. Let me tell you exactly what we did.

Mr. DEAL. Yes, sir.

Mr. NASSER. We were—we made a decision to source Goodyear tires, because there was a corporate decision to increase the level of Goodyear tires overall, and Goodyear went from 20-odd percent to 30-odd percent of our total tire sourcing. That happened.

At the same time, we were sourcing an added plant for the Explorer. The Explorer was produced in one plant. It was going to two plants. So we went out, and we asked Goodyear and Firestone for sourcing on that tire for that plant. Goodyear won the contract.

Mr. DEAL. On what basis?
Mr. NASSER. They won the—the specifications are the same, and there wasn’t any field data, because we didn’t have any Goodyears on Explorers. So the tire performance specifications were the same, and Goodyear and Firestone’s prices were about the same at that point. As a matter of fact, the initial Goodyear quote was actually below Firestone.

Subsequent to that, a decision was made that we would single source tires on a particular vehicle, because you didn’t want to go through the inefficiency of duplicate engineering and testing on one vehicle with two different tires. If you look at most of our vehicles, they have got a single source of tires. We asked both Goodyear and Firestone to quote on getting 100 percent of the tires. Goodyear wanted a price increase. Firestone did not. So we sourced it to Firestone. It’s as simple as that.

During the period when Goodyear was still supplying tires, which was after this decision of desourcing was made, Goodyear continued to reduce the cost and the price of their tire, to the point where in 1997 there was only 10 cents difference between a Goodyear tire and a Firestone tire.

Mr. DEAL. But the decision to go with Firestone and drop Goodyear as a source for the Explorer was made the following year of 1998.

Mr. NASSER. It was made in December 1994 for a 1998 model.

Mr. DEAL. All right, and——

Mr. NASSER. I think that clears it up. It was made in December 1994.

Mr. DEAL. And you had field data at that time, did you not?

Mr. NASSER. We did not. In December 1994, we did not have any—as far as I’m aware, we didn’t have any field data, because we hadn’t even fitted a Goodyear tire.

Mr. DEAL. So your best source of field data, you had none in any of these decisions, then?

Mr. NASSER. It’s difficult to have field data when there are no tires in the field.

Mr. DEAL. So you had no field data?

Mr. NASSER. On Goodyear. That’s right.

Mr. DEAL. What about Firestone?

Mr. NASSER. I don’t think we had field data on Firestone then. I’ll get back to you on that particular question. But I’m not sure where you’re heading.

Mr. GREENWOOD. The time of the gentleman has expired. The chairman recognizes for 5 minutes the gentleman, Mr. Gordon.

Mr. GORDON. Thank you, Mr. Chairman. Just a quick first observation after listening to that exchange and some of the others. First, Mr. Nasser, let me welcome you. I’m sure there are other places you would like to be.

Mr. NASSER. Oh, I truly love it here every year.

Mr. GORDON. After listening to these last exchanges, it seemed to me like the easy answer would just be to say that these last replacements were really image- and market-driven, not data-driven, and you have a right to put whatever tire, radio or antenna on your automobile or vehicle that you want, as long as it is——

Mr. NASSER. That may be the easy way, but it wouldn’t be the truth.
Mr. GORDON. It wouldn't be?
Mr. NASSER. The truth is that it's a mixture of data and field and predictive analysis and customer assurance. That's——
Mr. GORDON. Customer assurance marketing?
Mr. NASSER. Customer assurance is the confidence—it goes back to the Congressman's question. People have lost confidence in these tires.
Mr. GORDON. I would like to get on—I mean, again, I think you can put whatever tire you want on there. I mean, you know, it's your business. Just don't—as long as safety isn't compromised. And you spend a lot of money on TV, this is just another way to do marketing, and, you know, that's your business.
I think a lot of the discussion that we've had——
Mr. NASSER. Excuse me——
Mr. GORDON. I only have 5 minutes, but I——
Mr. NASSER. You're putting words in my mouth and that's not what I said.
Mr. GORDON. I don't mean to. That is what I said. I think a lot of the problem that we have is sort of a—your basic apples and apples or apples and orange type comparisons. And that's why I want to ask you and the other witnesses two questions, and they will be the same questions so that we have a benchmark.
The first is, it's my understanding that the same Firestone tires used on the Ford Explorer are also used as original equipment on the Ford Rangers. These same tires are evidently used on two other popular SUVs, the Toyota 4-Runner, as well as the Jeep Grand Cherokee. Claims data shows that the owners of vehicles other than Explorers have virtually no problems with tread separation, leading to rollovers. The question, then, is what does this suggest about the Explorer's design or handling characteristics and their contribution to the problem?
Mr. NASSER. The competitive tires that you mentioned—you mentioned Toyota—and what other tire?
Mr. GORDON. The same—the Wilderness AT are designed I think for General Motors as well as Toyota.
Mr. NASSER. They are different tires.
Mr. GORDON. And the—are they different tires than are on the Ford Ranger?
Mr. NASSER. No. They're the same tires.
Mr. GORDON. Are they the same tire as the Toyota 4-Runner and the same tire as the Jeep Grand Cherokee?
Mr. NASSER. No, they are different tires.
Mr. GORDON. How are they different?
Mr. NASSER. The treads are different—you'd have to ask the tire manufacturers, but they are different tire.
Mr. GORDON. Okay, but is it the same tire as the Ford Rangers?
Mr. NASSER. Yes.
Mr. GORDON. Yet you're not having problems with Ford Rangers?
Mr. NASSER. We're recalling the Ford Rangers.
Mr. GORDON. But is that—did you have the problems——
Mr. NASSER. I think the incidence level is about the same in terms of the tread separation. I don't think there's any significant difference, but I'd have to get back to you on that.
Mr. GORDON. So if they—well, let me just—so I’ll ask you this. If these are the same tires on the Ford Rangers, the Toyota 4-Runner and the Jeep Grand Cherokee, and they’re not having problems and you are having problems and you’re not the same.

Mr. NASSER. I just said that they’re not the same.

Mr. GORDON. What, they’re not—and I——

Mr. NASSER. You want me to answer a hypothetical question?

Mr. GORDON. If they were the same, that would be a problem, wouldn’t it? Would you like to address that, if they were the same, at a later date?

Mr. NASSER. Absolutely. If they were the same, I’d look at it, yeah.

Mr. GORDON. I’ll get to my second question. One year ago, Ford initiated an almost identical replacement program in Venezuela to replace Firestone——

Mr. NASSER. By the way, Congressman, if I may——

Mr. GORDON. I don’t want to lose my time here.

Mr. NASSER. The Ranger/Explorer comparison is very interesting, and we address it in our written statement.

Mr. GORDON. Sir, I really don’t want to be discourteous. It’s just that I won’t have a chance to ask my question. If I can get that in, then I think you should have the full right to respond what you’d like and I’d like to learn more about that.

One year ago, Ford initiated an almost identical replacement program in Venezuela to replace Firestone tires with other brands. Even though Explorers are now using other brands of tires in Venezuela, it’s my understanding that the Explorer rollovers have continued at a high enough rate to cause the head of the country’s consumer protection agency to suggest banning sales of Explorers. Why has the replacement of Firestone tires in Venezuela not brought an end to this problem, and will the replacement of Firestone tires on Explorers end the problem in the United States?

Mr. NASSER. The Explorer is not suffering levels of rollover in Venezuela that are different than other competitive SUVs. If you look at the percentage of rollovers that the Explorer has in Venezuela, it’s about 8 or 9 percent, which is Explorers’ market share in that market.

Mr. GORDON. Has that changed since you changed the tires? Has that ratio changed?

Mr. NASSER. I’m referring to the Goodyear tires on Explorer. If you go through the data—and I lived in Venezuela for 3 years, so I know—I know a lot about that market and the data that is in that market. If you go through that data and look at the statistics that relate to Explorer, you’ll find vehicles there that Fiestas, that are pick-up trucks, that are cars. You’ll find fender bender-type accidents in there. These are not data that when you go through them and filter them, clearly that will show an Explorer problem following the replacement of the Firestone tires——

Mr. GORDON. But with your data, have you determined that there is a difference in the rollover situation between the Firestones and the replacement tires in Venezuela?

Mr. NASSER. The Goodyear tires are performing much better, yes.

Mr. GREENWOOD. The gentleman’s time has expired.
Mr. Gordon. I would like to ask permission for him to respond to my last question, which was asked before the time was up.

Mr. Greenwood. Without objection.

Mr. Gordon. Which was, will the replacement of Firestone tires on the Explorer end the problem in the United States?

Mr. Nasser. Will the——

Mr. Gordon. Will the replacement of Firestone tires on the Explorer end the problem in the United States?

Mr. Nasser. Oh, man. I mean, last year we were very confident about all the data that we had, and this year we're taking all of the tires off the road, so—all of the Wilderness AT tires off the road. And if anything, as you suggested earlier, we may have over-reached because of the need to instill some confidence back in the marketplace. So I am hoping we've done that.

Mr. Greenwood. The time of the gentleman has expired.

Mr. Gordon. Thanks for your patience.

Mr. Greenwood. Mr. Nasser, I would just like to point out to you from data that Ford supplied to us, a chart that reads Explorer and Ranger tread separation in rollover comparison 1993 through 2001 model years, the number of claims for Ford Explorer was 299. The number of claims for the Ranger was apparently 3. Well, let me compare 1997 to 2001 in those cases. It's 299 versus 3. So there does seem to be a significant number. I don't know if that represents the percentage of vehicles on the road, but it seems to—the claims rate is a 47 rates of claims per million with the Explorer versus only 4. There seems to be a tenfold difference between the Ranger and the Explorer, and I would ask unanimous consent for a minute of time so you might respond to that, since it seems to be quite different than the answer you responded to Mr. Gordon.

Mr. Nasser. No. It is very much consistent. Ranger is having a problem. That is why we have recalled and replaced these tires. The Ranger 4x4 is the vehicle that has the tires that are also on the Explorer. The—and the Ranger 4x4 with the Explorer tires is a very small percentage of Ranger. So the sample size are small. And that in itself isn't the issue.

The other issue is that because they're 4x4 models, they tend to be in the North, not in the South. And in addition to that, it has used—it's used Decatur tires on the 4x4. So you've got a mish-mash of different geographies, low installation rates on the 4x4 model, and a different plant because of the heavy use of the——

Mr. Greenwood. I won't—sir, I won't question those facts as you've just laid them out. I don't believe we need to take this any further than we need to, but I think you did respond to Mr. Gordon that the claims rates are similar——

Mr. Nasser. They are similar when you adjust to an apples-to-apples comparison.

Mr. Greenwood. Well, you may have to. That may be a fairer answer, that when you adjust out for climate and so forth, that they're similar. I don't have data on that.

The Chair recognizes for 5 minutes Mr. Shimkus.

Mr. Shimkus. Thank you, Mr. Chairman. One thing that we need is a historical perspective, which I know we don't have the ability to do, to check tires and manufacturers of vehicles in the sixties and the eighties. We all mourn the loss of life and wrecks and stuff.
In comparison to the sixties or the seventies, are we better off or are we worse? I would submit we're probably better off. We're just a lot more stringent with information and getting data out to the public, and that's part of the frustration.

Well, this is a very serious hearing, but for the sake of levity, I think most of our constituents would appreciate at least one time getting dealers to their knees, and because I want to apologize to the dealers who are sitting on the floor or kneeling, because we finally brought dealers to their knees, and it had to be in the Commerce Committee room. Usually they seem to get the upper hand of——

Mr. NASSER. They will come back. Don't worry.

Mr. SHIMKUS. That's right. You in your opening statement mentioned, Mr. Nasser, that the bar has been raised seeking remedies that are proactive and forward looking, because we're in a new paradigm of safety and looking at industry and the people you do business with. Mr. Dingell asked you some questions which I find very interesting, and talked about the standards of tires and the width, the skin stock, the body, the belt, and basically the response was—you set performance specs up for the industries to compete, and some of the types of performance specs were speed, handling, wet weather, snow.

My question is, do you have a performance spec on ride, how smooth the ride is?

Mr. NASSER. Yes. Yes, we do.

Mr. SHIMKUS. And that brings me to my question which deals with a statement you made just a few minutes ago, and that's why it's sometimes beneficial to hang around and hear the questions and answers. For 10 cents a tire, you know, you mentioned that it's worth 10 cents a tire to move forward on safety considerations—and my question is, what about $1.40, $1.40 a tire, which if you remember back to last year when we were sitting through these hearings, I raised the issue of the nylon caps are—and the fact on nylon caps help prevent tread separation. Why Mr. Dingell's questions were good for me, because they provided me, again, with the challenge between specifications and actual material, design and requirements to meet the specifications.

So I would ask, based upon the information that I have, that it's $1.40 per tire to provide a nylon cap, why in this new paradigm of the bar being lifted higher, seeking forward remedies, why not move from specs to some specific requirements to the people who are providing a major part of your product?

Mr. NASSER. To move from tire performance to actually specifying the——

Mr. SHIMKUS. Well, you have a specification that says ride; why not have a requirement that says nylon caps?

Mr. NASSER. Okay. You'd have to ask the tire experts specifically on nylon caps. It is interesting that based on what I know at least, nylon caps would not help tread separation to any great degree. I think nylon caps are mostly reserved for very high-speed driving, and you'll find them on the higher speed rating tires. But you'd have to get the tire experts on that.

Mr. SHIMKUS. But did you require nylon caps for the Explorers used in the Middle East and Venezuela?
Mr. NASSER. I don’t know whether we specified it or the tire company specified it. But you just keep going back to the U.S. The Goodyear tires didn’t have nylon caps. The majority—and maybe even all, but I certainly know that the majority of the volume sports utility vehicles in the U.S. have tires without nylon caps. So I don’t think there is one silver bullet here, and there is a danger of trying to choose one solution or one improvement, without looking at the total benefit of handling and ride and stability.

Mr. SHIMKUS. And, again, I understand and appreciate the responsibility you have in providing jobs, providing a product and making sure it is as safe as possible, within the means of being able for consumers to purchase. This is just a follow-up to questions that I had asked last year on the nylon caps. We tried to get it inserted into the TREAD Act. We were unsuccessful, and we may try again in the future. I thank the gentleman for yielding.

Mr. GREENWOOD. The time of the gentleman has expired. The chairman recognizes for 5 minutes the gentleman, Mr. Stupak.

Mr. STUPAK. Thank you, Mr. Chairman. Mr. Nasser, last September when we were having the hearing, I asked the question on whether Ford would join with me in calling for a—and cooperating with a blue ribbon independent panel to perform a review of the AT, ATX Wilderness tires to determine the cause and proposed solutions. Is Ford still committed to its blue ribbon independent committee?

Mr. NASSER. Yes, we are.

Mr. STUPAK. Has Ford initiated or had any contact with NHTSA on trying to put together this committee?

Mr. NASSER. I know we’re in contact with them. I don’t know what the status is.

Mr. STUPAK. The information that you’ve testified to about the 1,083 separation of the Firestone tire, the field data, as you call it, versus 2 separations of the Goodyear tire, have you shared that data with Firestone?

Mr. NASSER. Yes, that data was available, as far as I know, last year, similar data. So it’s——

Mr. STUPAK. Everybody has it.

Mr. NASSER. Yes.

Mr. STUPAK. Firestone had it, NHTSA has it, this committee has it, we all have it?

Mr. NASSER. Uh-huh.

Mr. STUPAK. The chairman in his statement—opening statement, stated that—there were words to this effect, that some of the non-Firestone replacement tires have property and injury claims greater than those nonrecalled Wilderness AT tires. I take it from the exchange that went on earlier, you don’t have that information?

Mr. NASSER. We don’t, but we’re clearly, once we finish with the hearing, we’ll get to look at that data and see how it impacts what we’re doing.

Mr. STUPAK. You believe you’ll get it right after the hearing, or do you think you’re going to have to wait until after 30 days when NHTSA is done with it?

Mr. NASSER. I think we can get the basic data pretty quickly if it’s available.
Mr. STUPAK. If you do, would you share it with the rest of this committee?

I'm sorry to have to put you through that——

Mr. DINGELL. We've had a lot of talk about this information or data or whatever it might be. I ask unanimous consent at this time that that data be inserted in the record at this point. All of it.

Mr. GREENWOOD. The Chair advises the gentleman that that request will be taken under consideration.

Mr. DINGELL. I believe I——

Mr. GREENWOOD. If I may continue——

Mr. DINGELL. I believe I'm entitled to have a——

Mr. GREENWOOD. Just a moment. I'll recognize the gentleman in a moment. What needs to be taken into consideration is that there are differences between the data that—raw data that's been provided to us by some of the tire manufacturers and NHTSA versus the computations that were done by our investigative staff.

Mr. DINGELL. Mr.——

Mr. GREENWOOD. And it is the work product that involves these computations that has been referenced and we are taking into consideration whether or not it—such computations should or should not be entered in the record.

Mr. DINGELL. Mr. Chairman, I have made a unanimous consent request. I will repeat it for the benefit of the Chair. And that is that all of the data referred to be inserted into the record at this particular point so that we can all know what we're talking about and so that the meaning of which has been referred to no less than three times this morning, we'll be able to see what is—what is done.

I would ask that in addition to that, the comments of all of the three major participants to these proceedings, Ford Motor, Firestone, and also NHTSA be included as soon as it can possibly be done. I'm entitled to have that unanimous consent request ruled upon or objected to.

Mr. DEAL. Mr. Chairman, based on the comments made by the chairman previously that some of the information was confidentially received, I would object to at this time.

Mr. DINGELL. Well, I will make——

Mr. GREENWOOD. The objection is heard to the gentleman's unanimous request.

Mr. DINGELL. I would request that the gentleman from Georgia tell us what it is he wants hidden.

Mr. DEAL. Mr. Chairman——

Mr. GREENWOOD. I recognize the gentleman from Georgia.

Mr. DEAL. As the ranking member heard the chairman state earlier, some of the information was obtained in confidence. I think it is the responsibility of this committee to honor the confidences that the chairman has requested be respected.

Mr. DINGELL. Well, then I will——

Mr. DEAL. It is on that basis that I make the objection.

Mr. DINGELL. Then I will make a further unanimous consent request, and that is that the press releases and documents related to the story—an article which appears in Yahoo News on today's date, June 19, entitled “House Queries Ford Replacement Tires,” be
inserted in the record. I believe this is properly a part of the record, so that we can all know what we're talking about.

Mr. DEAL. Mr. Chairman?

Mr. GREENWOOD. Without objection.

[The information referred to follows:]


HOUSE QUERIES FORD'S REPLACEMENT TIRES

By Nedra Pickler, Associated Press Writer

WASHINGTON (AP)—Ford Motor Co. may be replacing Firestone tires on its vehicles with other brands that have higher failure rates, according to an analysis by congressional investigators.

The House Commerce Committee unveiled the results of its five-month inquiry into the safety of America's tires at a hearing Tuesday.

Rep. Billy Tauzin, R-La., the committee chairman, said congressional investigators have analyzed the failure rates of replacement tires Ford is using—made by Michelin, Continental, Goodyear, General, BF Goodrich and Uniroyal—and found some fail more often than the Firestone Wilderness AT tires Ford recalled last month.

"Ford is going to replace these recall tires with tires that have a worse claims history than some of the tires that are coming off the Explorers," Tauzin said. "For example, our investigators have learned that one of the tires that is going to be used in the replacement has a claims rate of 124 per million tires, well in excess of the five claims per million that Ford says is the benchmark in this recall."

"Are we going to be replacing worse tires for the tires that come off these cars?" he asked.

Tauzin spokesman Ken Johnson also said the committee found that two additional Firestone tire models used on Ford vehicles—the Wilderness HT and the FR480—had higher rates of claims for property damage than the Wilderness AT.

Ford does not have access to the same information because tire makers keep their property damage claims rates confidential. The Commerce Committee has been collecting that information from the tire makers in the past several months.

Tauzin refused to make his data public yet, saying he wanted federal safety officials to analyze the information first.

"I don't want us to be a party to releasing bad information to the American public," he said.

But Rep. Bart Stupak, D-Mich., called on Tauzin to release the data immediately, considering he and other Americans replaced the Firestone tires on their Ford Explorers.

"I want to make sure if I replaced them, I replaced them with good tires," Stupak said. "I think we're misleading the American public if we say we're replacing them with worse tires, but yet we're not getting the data."

Ford officials said they asked the National Highway Traffic Safety Administration about the replacement tires they planned to use and the agency did not raise any safety concerns.

"We feel that the replacement tires are good tires," said Sue Cischke, Ford's vice president for environmental and safety engineering.

Cischke said Ford was aware of a higher claim rate on the FR480, but that only a relatively few of those tires are still on the road. She also said Ford was aware of a few claims involving the Wilderness HT, but said none involved accidents.

The Wilderness AT has been at the center of a nearly year-long debate over the safety of Firestone tires. Bridgestone/Firestone Inc.'s voluntary recall of 6.5 million tires last August included the 15-inch version of the Wilderness AT, made at its plant in Decatur, Ill.

The company insisted that other sizes of the tire made at other plants were safe. But last month Ford said it was concerned about safety and announced it would replace all 13 million Wilderness ATs still on its vehicles.

A day earlier, aware of the impending announcement, Bridgestone/Firestone ended its 96-year relationship with Ford.

The Wilderness AT has been standard equipment on the Ford Explorer, the world's best-selling sport utility vehicle. Many of the 203 fatal accidents among the thousands of crashes reported to the highway safety administration in the last year were rollovers of the Explorer that occurred after the tires failed.

Ford insists the problem is the result of flawed tires, but Bridgestone/Firestone says the design of the Explorer also is a factor.
Jacques Nasser, chief executive of Ford, blamed the problem on the tires. He said Bridgestone/Firestone’s tests showing the Explorer as part of the problem were “unreliable” and “not based on facts.”

“The Ford Explorer is and always will be a safe vehicle,” Nasser insisted.

John Lampe, chief executive of Bridgestone/Firestone Inc., in turn said Ford’s tests were “grossly unscientific and must be disregarded.”

“We have had a growing and ultimately overwhelming conviction that tire design and manufacturing issues alone simply cannot account for what has been happening to the Explorer,” Lampe said in his prepared statement.

Lawmakers called on NHTSA to quickly finish its investigation so people can know who to believe. “We have a corporate schoolyard brawl breaking out here,” said Rep. Edward Markey, D-Mass. “We need an independent referee.”

In announcing its recall last month, Ford officials said they were particularly concerned with the Wilderness AT tires built at Bridgestone/Firestone’s plant in Wilson, N.C. The automaker said the 15-inch version built at that plant has 19 tread separation claims per million tires produced and the 16-inch version has 17 claims per million.

That is much lower than the 300 per million failures on some of the tires included in Bridgestone/Firestone’s original recall.

About 2,000 United Auto Workers planned to drive around the Capitol and then rally Tuesday to show their confidence in the Explorer.

Mr. Stupak. Mr. Chairman——

Mr. Greenwood. Is the gentleman, Mr. Stupak, reclaiming his time?

Mr. Stupak. Yes, I’d like to reclaim my time and get a moment or two further. But I’d like to expand upon the motion. I guess I’d ask the unanimous request, then, of the committee to do this. If it’s the data that is so confidential, then the thing that is not confidential would be the manufacturer name and the brand name of the tire. Would the majority staff at least tell us who is the manufacturer and the brand name of the title? So—I’ll do one better than Yahoo News, Mr. Dingell, I’ll do the Detroit Free Press—so we’re not getting the questions, “New Tires, New Worries.”

Now, we have a notice out from Ford to replace our tires. I did mine beforehand. My father-in-law for his Expedition just got his. Now, he’s going down to make his replacement tires—to get them from Ford.

Now, if we have a brand and a manufacturer and a brand tire that is defective 124 times versus 5 times, as has been claimed by the majority, then at least tell the American people what the tire is, and the brand name, my father-in-law and others are not out replacing their tires with possibly worse tires which have a worse safety record.

So I’d ask unanimous consent that this committee at least tell us the manufacturer of the tire and the tire brand, and that way we don’t have to worry about disclosing confidential data.

Mr. Greenwood. In response to the gentleman’s inquiry, I would object and state my reasons as follows. In the first place, the gentleman needs to know that the minority staff has access to all of the same data as the gentleman—the minority staff has access to all the same data from NHTSA as our staff does. The majority—minority staff is——

Mr. Stupak. This is not in NHTSA’s hands, from all the testimony thus far. You’re going to give it to NHTSA at the end of this hearing, and then we’re going to get 30 days. So can we get it as part of this record? I mean, if we’ve got to wait for NHTSA, that will be 30 days later.
Mr. DINGELL. Mr. Chairman, I ask that under my rights as a member of this committee, under the rules of the House of Representatives, that the data compiled by the committee staff and the analysis of the committee staff be promptly made available to all members of the committee. The House rules provide that it is my right to have that made available to me. I ask that it be made available to me for——

Mr. GREENWOOD. Pursuant to the gentleman’s——

Mr. DINGELL. I mean now, Mr. Chairman, not——

Mr. GREENWOOD. Pursuant to the gentleman’s——

Mr. DINGELL. Not at the whim of the Chair or at some later time, but now.
I have requested the data. I ask the staff to come forward and present it to me.

Mr. GREENWOOD. Would the gentleman desist for a moment?

Mr. DINGELL. The House rules so provide. I speak as a member of the committee, requesting that the rules——

Mr. GREENWOOD. The gentleman’s request is on the record. The Chair will consult with the attorneys and respond promptly.

Mr. DINGELL. I don’t ask for consultation with the attorneys. I asked that the information be made available——

Mr. GREENWOOD. The Chair asks for—the Chair is asking for a consultation with his attorneys, and the Chair will respond to the gentleman’s request promptly.

Mr. DINGELL. I will read the rule to the Chair, if that will be helpful.

Mr. GREENWOOD. The gentleman has stated the rule correctly, and the Chair recognizes the rule as stated. We’d ask that the gentleman politely desist for a moment.

Mr. DINGELL. I apologize to my good friend from Michigan for intruding into his time.

Mr. GREENWOOD. The gentleman from Michigan correctly states his rights under the rules of this committee and that he—the Chair will see to it that the staff presents to the gentleman, promptly, the——

Mr. DINGELL. Promptly?

Mr. GREENWOOD. Immediately.

Mr. DINGELL. Thank you.

Mr. GREENWOOD. The Chair would also ask this of the gentleman. I believe that the gentleman from Michigan was here when Mr. Tauzin stated his concerns about the release of this information and the implications that it might have, and would simply ask the gentleman from Michigan to make his own decision based on his own judgment and what the——the concerns expressed by the full chairman, as to whether or not the chairman chooses to divulge that information.

Mr. DINGELL. Well, I would simply note that the chairman of the full committee has made this observation and is so quoted in the press. I don’t want to be a party to releasing bad information to the American public. However, I would note that that did appear on the news media already, and since we are going to let this hang out, I suggest it should all hang out.

Mr. GREENWOOD. I am advised by staff that the gentleman—gentleman’s request will be responded to in the following fashion: The
material, the data submitted to the majority staff by the tire companies, will be copied promptly and submitted to the gentleman from Michigan as quickly as that can be mechanically done, which I would assume would be a matter of minutes.

Mr. Dingell. And I am requesting that which is alluded to in the news article referred to by Mr. Stupak.

Mr. Greenwood. That is the data in question.

Mr. Dingell. Thank you.

Mr. Stupak. Mr. Chairman, I'll reclaim my time.

Mr. Greenwood. Your time has long since expired.

Mr. Stupak. I realize that, but——

Mr. Deutch. Mr. Chairman, I ask that you grant the gentleman an additional 2 minutes.

Mr. Stupak. A point of clarification, if I may. While I understand that the information would be released to the gentleman from Michigan, Mr. Dingell, I take it it would be released to all members of this committee?

Mr. Greenwood. Certainly. Certainly.

Mr. Stupak. And I also understand from the rules of this committee and also rules of the House, that if the information is deemed confidential by the committee, then it cannot be released publicly, whether it is Yahoo News or Detroit Free Press. Is that the ruling of the Chair?

Mr. Greenwood. That is my understanding of the rules, but it is also my understanding of the facts that no such data was released by the committee staff.

Mr. Stupak. So for further clarification, the information we will be receiving, the data if you will, is that considered confidential information, not to be released publicly? Or—as turned over to each committee member, we can do—since it's part of the record, it then becomes a public record and can be released?

Mr. Greenwood. The—I am advised by counsel that there is no committee rule with respect to the release of confidential information. There are rules with respect to information that is obtained by subpoena. In some cases it is—requires a vote of the committee to release data acquired by subpoena. That does not describe the data in question.

Mr. Dingell. That this data and information and papers did not fall into the hands of this committee pursuant to the subpoena process?

Mr. Greenwood. That is correct, which is why in fact no vote is required.

Mr. Stupak. And, therefore, once released to members, it can be released publicly as part of this record?

Mr. Dingell. I would call on the Chair, for a prohibition against this being released, to please inform the gentleman from Michigan, Mr. Stupak, or the gentleman from Michigan, Mr. Dingell, as to what the prohibitions are under the rules of members of this committee of discussing this information in other places, since it has already been discussed by the chairman of the committee.

Mr. Greenwood. The Chair will reiterate and hopefully summarize so we can get to the next line of inquiry. The data supplied to the committee by the—from the tire companies will be made available within minutes to the minority members. The minority
members have the right, of course, to release all of that information publicly. I have reiterated the admonition—expression of concern which this member believes is legitimate, that the use of that information—and would ask that the members use it responsibly, understanding—and hopefully before they make any decisions about releasing it, understanding what the data is and what the data is not.

Mr. Dingell. Now, Mr. Chairman, that unanimous consent request and my demand for information included the committee staff analysis of this, which I am sure the Chair agrees is property of the entire committee and should be available to all members, including minority members.

Mr. Stearns. Mr. Dingell, does that include all my notes, too?

Mr. Dingell. Do you have notes? I’ll tell you what. I promise to return your notes to you.

Mr. Stearns. Can I get all your notes, too?

Mr. Dingell. I haven’t got any notes on this matter, but if I generate any, I will assure you that I will make.—

Mr. Stearns. Will the Chair allow me just unanimous consent to speak 1 minute on the subject?

Mr. Dingell. What I requested, Mr. Chairman, just to make it very clear, is the staff analysis.

Mr. Greenwood. Yeah. I understand.

Mr. Dingell. Staff analysis, not the notes of my dear friend from Florida, although I’m sure they’re probably of greater merit than the staff.

Mr. Stearns. Well, thank you very much, Mr. Chairman.

Mr. Greenwood. The Chair reiterates that the information that is available to the majority members of the committee will be made available to the minority members of the committee, and I would suggest that the gentleman from Michigan and the other members of the minority review that material when it is provided to you, which, as I said, will be promptly. If you have further questions as to whether or not it meets your demands, I would ask you to raise them at that time.

Mr. Dingell. I will do so. Just to assist the Chair and the members of the committee, Mr. Tauzin is quoted in the press this morning as having said as follows: Representative Billy Tauzin, R., LA, the committee chairman, said congressional investigators have analyzed the failure rates of replacement tires Ford is using, including using those made by Michelin, Continental, Goodyear, General, BFGoodrich, and Uniroyal, and found some failed more often than the Firestone Wilderness AT tires Ford recalled last month.

I very specifically need that, because I am sure you can understand the importance of this information which has today fallen into the public domain.

Mr. Greenwood. As the gentleman knows, if the gentleman read it in the newspaper, it must be so.

The Chair recognizes——

Mr. Stearns. Mr. Dingell, the only thing—I’d make two points. One is that when this information is given to you, as Mr. Stupak and I talked earlier, that a lot of this information—you have to understand one of the assumptions that make up this information.
And just to take this information and suddenly give it to the press without a full understanding—let me just finish.

Mr. Dingell. I——

Mr. Stearns. So I think the chairman is saying that each member has a fiduciary responsibility to decide if he’s going to give it out, that he should know all the underlying assumptions.

My second point is, all the analysis that our staff has done on this side is revealed in the questions we have. Most of these questions provide the data, together with the charts. So the analysis that you’re seeing from our staff is transparent with all these charts that we’re bringing here.

So I just reiterate to the distinguished member from Michigan that what we’re trying to do here in a bipartisan way is to make this information more available to the consumer so that the consumer can make a decision, and that’s—we have no intent, no agenda, other than trying to make the consumer feel a certain level of confidence that he or she understands this information. So, you know, I think here we have a—perhaps a misunderstanding, if you don’t realize that we’re trying to provide you all the analysis, either through our questions or our charts.

Mr. Dingell. Well, I want to thank the gentleman for that point, and I want to say that I am mightily reassured. I would also like to observe that I had not been given a copy of this analysis before and, as Mr. Stupak had to, I had to read about it in the press.

Mr. Greenwood. The gentleman from Michigan has made his request. The Chair has ruled, and the Chair now recognizes for 5 minutes the gentleman, Mr. Bryant——

Mr. Towns. Mr. Chairman——

Mr. Greenwood. Does the ranking member of the Oversight and Investigations Subcommittee seek to make a—raise a parliamentary question for——

Mr. Towns. Yes, I’d like to make a unanimous consent request. Mr. Stupak’s time was really eaten into by other members. So if we can grant him 1 additional minute.

Mr. Greenwood. Without objections, the gentleman from—the gentleman, Mr. Stupak, is recognized for 1 minute for purposes of inquiry toward the—directed toward the witness.

Mr. Stupak. Mr. Chairman, if I may use my 1 minute, I am done with inquiry. We’ve got what we want.

Mr. Greenwood. Then that is inconsistent with the gentleman’s unanimous request——

Mr. Stupak. But I asked unanimous consent——

Mr. Greenwood. Unanimous consent request.

Mr. Stupak. I asked unanimous consent to keep the record clear—I told you I’d get back to my plaintiff trial lawyer days—and I ask that the record be clear that we enter in—unanimous consent, enter in the Detroit Free Press, June 19th, 2001 edition, Page 1 and Page 6-A.

Mr. Greenwood. Without objection.

Mr. Stupak. Thank you.

[The information referred to follows:]
Ford Motor Co. has been replacing Firestone tires on its trucks and sport-utility vehicles with tires that, in some cases, have worse performance records, a spokesman for the House Energy and Commerce Committee said Monday.

And, while the Dearborn automaker is taking tires that have not had problems off its vehicles, it is leaving other poor-performing tires on some trucks, the spokesman said.

The chiefs of Ford and tire maker Bridgestone/Firestone Inc. are expected to be confronted with those findings, the work of committee investigators, when they testify before two Energy and Commerce subcommittees this morning in Washington, D.C.

The hearing is the second time in a year that Congress has looked at whether Firestone tires, Ford’s popular sport-utility vehicle, the Explorer, or the combination of the two are responsible for hundreds of deaths and injuries.

Late Monday, the National Highway Traffic Safety Administration announced that it has now linked 203 U.S. deaths—up from 174—and more than 700 injuries to some of the 50 million Firestone ATX, ATX II and Wilderness AT tires that it has been investigating since last year. Many are on Ford vehicles.

In May, Ford announced it would spend $3 billion to replace 13 million additional Firestone Wilderness AT tires on its vehicles.

Ken Johnson, a spokesman for the Energy and Commerce Committee, called the results of the congressional investigators’ analysis of claims data troubling and puzzling.

He said they found three problems with Ford’s replacement program and the Firestone recall:

- Ford in some cases is replacing Firestone tires with brands that have worse track records.
- At least two other Firestone tires, the 16-inch Wilderness HT and the 15-inch FR480, have much higher claims rates than the ATs that are being replaced. The 15-inch FR480 was used on the Explorer in the early- to mid-1990s, while the Wilderness HTs have been used since 1995 on the F150 pickup, the nation’s best-selling vehicle.
- Some of the Wilderness AT tires being replaced by Ford have never had a claim against them, yet are being replaced by brands “that have a spotty track record.” Johnson said.

“I suspect this new information will generate a lot of interest among our members,” Johnson said. “It’s common sense: You don’t replace a tire with another tire that has a worse track record.”

Ken Zino, a spokesman for Ford, said the company tested replacement tires from other companies in the lab and on the road. He said NHTSA looked over its list of replacement tires and had no issue with those tires.

“We are as confident as anybody can be that this a good set of replacement tires,” Zino said.

He said there are few FR480s left on the road, and that there have been only a handful of claims against the HT.

Jill Bratina, a spokeswoman for Nashville-based Bridgestone/Firestone, said the tires that Ford is replacing come from a “universe of tires performing at world-class levels.”

She also pointed the finger, once again, at the Explorer.

“You can take every Firestone tire off the Explorer, and the rollovers will continue. We believe that there are serious safety concerns with the Explorer and you can’t look at the tire in isolation.”

In addition to quizzing Ford on its replacement program, committee members are expected to ask why it has taken NHTSA more than a year to conduct its analysis of Firestone tires.

An aide to a Republican member of the Energy and Commerce Committee said lawmakers would be asking “where is NHTSA” during today’s hearings.

“Here we are, 12 months out, and we still don’t know definitively that it’s a tire problem,” the aide said, speaking on condition of anonymity. “Where is that investigation?”
Tim Hurd, a NHTSA spokesman, said the investigation is continuing. Such investigations typically take a year to 18 months.

Perhaps in anticipation of congressional scrutiny, the White House announced Monday that President George W. Bush will nominate a North Carolina doctor who specializes in emergency medicine to lead the safety agency. NHTSA has been without an administrator since January.

Jeffrey Runge is assistant chairman of the department of emergency medicine at the Carolinas Medical Center in Charlotte and is an expert in motor vehicle injury care and prevention, according to the White House.

In a show of support for the vehicle that has been the best-selling sport-utility since its introduction in 1990, hundreds of Explorers driven by UAW members, rolled into Washington, D.C., on Monday.

Thousands of UAW members from Ford plants around the country are to receive up to eight hours a day in pay from Ford to rally behind the vehicle that has contributed more than any other Ford car or truck to their profit-sharing checks.

"We want to demonstrate to Congress and the public that we do build and assemble quality, safe vehicles," said UAW Vice President Ron Gettelfinger. "There are millions of miles of real world history to prove that fact."

Today, they are expected to drive in a convoy of 800 Explorers, with police escort, around the National Mall. They also plan to rally at a park near the Senate office buildings at 11:30 a.m.

Staff writer Ruby Bailey and Craig Linder of States News Service contributed to this report.

Mr. GREENWOOD. The Chair recognizes the gentleman, Mr. Bryant, for 5 minutes.

Mr. BRYANT. I thank the Chair, and I thank the witness for his patience with us, as all witnesses have to endure, it seems. And I think back, as I prepared for this hearing over the last weekend and the meeting with constituents, Ford dealers in my district, two of which are in Washington today, I think driving around the Capitol as I understand from reading the newspaper perhaps, but also in Tennessee we have the headquarters for Firestone as well as a number of Firestone distributors, dealers that sell the tires.

So, like I suppose everyone on this committee, we have interests on both sides, constituents that are directly involved, whether they are Firestone or Ford. And ultimately the reason we’re all here and the reason we're not leaving this to the lawsuits and the many courts that will be involved in this at some future date, and that we're not leaving it solely to NHTSA, the regulators whose job it is to do these things, the reason we're not in this congressional committee leaving it to those groups now, is that we’re trying to move quickly and determine what safety concerns there are out there, make sure that folks in NHTSA are doing their job, but mainly trying to protect the consumers’ interests, I guess, is the bottom line.

And after our first hearing last September, I was here and heard different people testify on behalf of Ford and Firestone and NHTSA. We thought maybe this process was moving along toward cooperation and repairing this problem. I know there was a problem in the Firestone—I think it was the Decatur, Illinois plant—and there was a recall of those tires, and we assumed it was rectified and the American consumers were safe again.

And then we get into a situation where we start reading about finger pointing, and it—from an outsider’s view, it doesn’t appear that there’s very much cooperation between Firestone and Ford. And every day it seems there’s a different story, accusations being swapped and expert witnesses and statistics and so forth, charges being made.
And I’m just wondering, Mr. Nasser—I know specifically you said that you pledged to this Congress to cooperate and—with Firestone—help get to the bottom of this. And I just wonder, as I hear from Firestone people, that perhaps that was not—they couldn’t get the information they needed from Ford. You told Mr. Stupak earlier that you had shared information with Firestone since that hearing. Where—very quickly, I guess, because I have a couple of other questions—where are we on that cooperation, or have we just all backed away and hired lawyers and hunkered down?

Mr. Nasser. I think that is a good question, and obviously if you—to read the press, you would believe that we are in a bitter feud. I don’t think that’s the case at all. We have a viewpoint about our customers, and we’re trying to protect their safety. And I think Firestone would basically agree with that. They have a different viewpoint, and I think they’re entitled to it.

We have had very good cooperation with Firestone since the last time we met. I think there have been something like 48 different meetings and interactions between the Ford tire team and technical people and scientists and the Firestone people. And there have been an incredible—millions and millions of pages of documents, that have verified the testing and the lab work and the rig testing and the field data between the two companies at a very high level in the company.

In addition to that, we set up a Web site where we basically deposit all of the data that we have. And it was interesting, before I came along here I said, I wonder how many times the Firestone company people have accessed that Web site, and they have accessed it over 40,000 times. So I would say the face-to-face interaction with Firestone has been great in terms of data exchange, and the signer interaction obviously has been very active as well. It is an emotional issue when you’re dealing with customer safety. So we understand the emotion and passion around it.

Mr. Bryant. And I appreciate your answer. You know, it is a shame that such a longstanding relationship of probably a hundred years is in jeopardy, and maybe well beyond that at this point. But, again, I know both companies are vitally—as you say, vitally interested in the consumers’ safety. And I—I was struck as I moved about the district talking to my two dealers this weekend, at different ends of the district, with the chart that you’ve used that shows Firestone having 1,183 separations and Goodyear 2. And coming from a practice of law—and when I’ve used charts and put together information, you always have to look at the underlying data. And I bring that up not to question anyone’s ethics or honesty in this, but I see another chart that conflicts with—I guess just really the backup chart to that in terms of the climate and where these Explorers were sent in relation to hot States. And I see Ford’s as this, and I see one from Firestone that shows substantially different numbers that supposedly are based on information from Ford.

And now I just wonder, as we look at the first chart again, the underlying data, is that—is that really a reliable picture?

Now, we’ve talked today about context and things of this nature. I think back to the hearing, and we had, you know,—of the Decatur tires in there, the situation that Firestone has rectified, and that
is not really at issue here—you know, or the B grade tires versus the C grade tires issue, has that taken into consideration apparently the fact that apparently Goodyear has supplied B grade and Firestone C grade at the request of Ford? The climate issue, where more of the Firestone tires in the southern hot areas—which we all understand is very important in this issue—than the Goodyear tires on the Explorers? Because, again, there are different charts here, the recommendation I recall back from the last hearing that Ford seemed to make that—on psi inflation to the tire that was lower than what Firestone recommended for their tire and the tire safety, and these issues—well, I guess my bottom line on this—and I have some other questions I could ask. You can use statistics and experts—you know, I've seen it used in courts. And one says the sky is falling. The other says it is not.

In the end, what we're trying to do in this hearing is protect the American consumer. It seems to me it would be in the interest of both companies to come together—you're going to end up together in a courtroom, against some other folks, probably, that were injured in this—these—or the heirs of people that were killed in some of these accidents. So it seems to be in your interest to come together and work to get to the bottom of this so that we can be safe and confident that if we're driving Explorers around with Firestone tires, we're going to be safe and in other vehicles with those tires and other SUVs.

And I would just encourage you to do that, and I'm going to ask the same thing from Mr. Lampe when he comes in next. And I probably know him a little better than I know you, and I feel confident that he will do that, and Firestone has that interest, too. So I would ask that, and since I am being gavelled now, I will yield back the balance of my time.

Thank you.

Mr. GREENWOOD. Thank you. The gentleman's time has expired. The Chair recognizes the gentleman, Mr. Doyle, for 5 minutes for inquiry.

Mr. DOYLE. Thank you, Mr. Chairman. Mr. Nasser, welcome.

Mr. NASSER. Thank you.

Mr. DOYLE. I'm a new member to the committee, so I wasn't here last year when you appeared, but it's my understanding that back then, that obviously it's a fair statement to say that contrary to some of these statements last year at the committee hearing, that Firestone and Ford can't seem to agree on what the root causes of the tire problem is. That's—you don't agree with that? You don't agree on what, or—or you haven't been able to agree on what the root causes of this tire problem is?

Mr. NASSER. I would say generally that's an accurate statement.

Mr. DOYLE. Now, it's my understanding that last year, it was suggested that an outside consultant take a look at this, and it's my understanding that Firestone did hire an outside consultant to study the problem and that your study was done in-house. Is that correct?

Mr. NASSER. We did a study in-house, but also cooperated with the—are you talking about the Govindjee study?

Mr. DOYLE. Yes—

Mr. NASSER. [continuing] that Firestone undertook?
Mr. Doyle. Yes.

Mr. Nass. Yes, but there was cooperation between us on that study as well.

Mr. Doyle. I see. But you also did a study and yours was done in-house?

Mr. Nass. Yes.

Mr. Doyle. But I did hear you say to Mr. Stupak that you’re not opposed to this idea of an outside independent group studying this problem; a blue ribbon panel, as Mr. Stupak referred to it?

Mr. Nass. Our preference, obviously—and this is what we said last time and this is what we concluded with Firestone in October of last year—is that we provide all the data to NHTSA, who are in the best position, we believe, and I think the committee believes, based on what I’ve heard earlier in the opening comments, to be able to make an independent review of all the data of the tires and of the vehicles and comparable peer SUVs.

Mr. Doyle. So then you’d agree—I mean, the Congress and—or the American public is not going to be able to resolve your dispute here. I mean, some of us up here have the expertise to ask some questions and we know that statistics can be manipulated to either person’s benefit. But we’re not engineers up here. I guess that, you know, a lot of people back in my district and across America are wondering who’s going to give them the definitive answer as to what the cause of this tire failure is, so that they can have confidence when they go out to buy an automobile or a tire and—

Mr. Nass. We agree with the American public. That’s why we stopped debating and we stopped talking and we stopped discussions and we acted. And that’s what the 13 million Firestone tire replacement plan is all about.

Because we are sick and tired of debating and fighting on this issue. Our customers want it resolved and they want those tires off the road. And that’s what we’re doing. So I agree with you. You’re absolutely right; let’s stop this discussion and debating and analysis and finger-pointing, if that’s what you want to call it, and act for the benefit of our customers. And that’s what we did.

Mr. Doyle. Thank you. Can you describe the difference for the committee—I am just—the difference in usage and engineering between Ford Explorers and Ford Rangers?

Mr. Nass. Well one is a pick-up truck, and obviously it has different use than a sport utility vehicle which tends to be more of a passenger-type vehicle.

Mr. Doyle. Now, do tire companies manufacture tires to different standards for SUVs and trucks or are they the same?

Mr. Nass. In some cases they’re the same. In some cases they’re different. If where you are going is should we be using the same tire on a sport utility vehicle and a pick-up truck, in actual fact the specifications are adequate for both, and it’s not uncommon in the industry to have a similar performance tire across different derivative fronts.

Mr. Doyle. So it wouldn’t have been uncommon to have the Firestone tire on the Ranger and on the Explorer?

Mr. Nass. It’s been that way for a long time.

Mr. Doyle. Thank you very much. I yield back my time, Mr. Chairman.
Mr. GREENWOOD. Gentleman yields back the time. The Chair recognizes for 5 minutes for inquiry the gentleman, Mr. Terry.

Mr. TERRY. Thank you. I appreciate that opportunity.

Sir, if you could help me just kind of get down to the lowest common denominator here, I read through inches of material, and if you could help me in defining if defect—because we have heard testimony about tire pressure, load, heat variances, but specifically—and we've also heard a variety of testing, field testing that shows something is wrong, shows the belt is coming apart.

Now you have done a variety of advance testing, more field testing under controlled circumstances, laboratory testings. In a layman's way that we as laymen can understand, what has Ford determined to be the specific defect or defects of these Firestone tires?

Mr. NASSER. You can't summarize it with one defect, unfortunately.

Mr. TERRY. It's multiple.

Mr. NASSER. It is very complicated and it varies, and it isn't only tire design and temperature and wedge strength and peel strength but it's also variability in the design process, because it seems as if the design changed over a period of time and variability within the manufacturing process of the Firestone plants.

Mr. TERRY. That's interesting, because I was going to ask you to break it down into whether or not these defects that you found were part of design or manufacturing, and you're saying it's combination of both. Could you be specific about what type of design defects have been found by Ford that they believe lead to this problem and the manufacturing process as well?

Mr. NASSER. Well, it's difficult to be specific because it varied depending on the period of tire manufacturer. It really did vary year by year. In addition to that, what is very unusual is that when you look at the Firestone tire performance by plant, by Firestone plant, it varies dramatically. Which further indicates that the vehicle itself, the Explorer, is the same vehicle; yet there is tremendous variability depending on where the tire comes in from, and we know the Explorer is a superb vehicle and a very intelligent vehicle, but I don't think it can sit back and say this is a Decatur tire, I don't want to behave now; this is an Aiken tire, I will behave now. So there's just so much variability between plant and design and, we think, manufacturing process.

Mr. TERRY. Well, I guess that's at the heart of trying to figure out the scope of the recall, for want of a better word.

Mr. NASSER. Which is one of the reasons we, in the end, said, look, we can continue to study this for many, many more months and face the situation of increasing tragedy on the roads, or we can act now in the interests and the safety of our customers. And we decided to act. It wasn't an easy decision, yet it was easy once we really got down to the priority of protecting our customer.

Mr. TERRY. Thank you. I'll yield back. I yield to you, Mr. Bryant.

Mr. GREENWOOD. The gentleman yields time to Mr. Bryant.

Mr. BRYANT. Yes, Mr. Nasser, while you were mentioning that, it reminded me of a question I had in terms of what is being done to improve the tires. As I understand, the year 2001 Explorer is also being redesigned to some extent. Particularly, would you share
with this committee those redesigns, those improvements to safety as they pertain to the stability of the vehicle?

Mr. Nasser. Well, it’s a 2002 Explorer, and many of the gentlemen in the room today drove them for hundreds of miles across the country to be here with us this morning. We did take the opportunity to redesign the Explorer. It’s a superb vehicle, the 2002 model. But it’s got big shoes to fill because the Explorer—the previous Explorer had been around for 10 years, over 10 years, and it had one of the best safety records anywhere in the world for a sport utility vehicle. It was the top selling sport utility vehicle in the U.S.A., the top selling sport utility vehicle in the world.

But you get to a point after 10 years where you do need to take the opportunity to upgrade it substantially, and we did, and we upgraded it primarily to make the interior more efficient because we wanted to go to three-row seating and seven-passenger seating with the Explorer. We went to an independent rear suspension in the rear so that we could get better ride, but primarily to get better space sufficiency in the rear. And, you know, things have moved on over the years, and we’ve taken the opportunity to upgrade it in almost every respect.

Mr. Greenwood. Time of the gentleman has expired. The Chair recognizes the gentleman from Massachusetts, Mr. Markey, for 5 minutes.

Mr. Markey. Thank you, Mr. Chairman, very much. I’ll begin by saying that while I know that there’s still a dispute as to whether or not the minority, the Democrats, are going to receive access to the analysis that’s been done by the majority as to these additional tires that may be endangering the American public, that the contention that is being made is that the information is still incomplete, and as a result can’t be shared with us. But if the information is incomplete, then it shouldn’t be used to scare the American public either. I think that at a point at which you had completed your analysis, you should have presented it both to us and to the American public, but to not use incomplete data.

Mr. Greenwood. If the gentleman will yield, it has not been the statement of the majority, of this Chair, or any other Members that the data is incomplete.

Mr. Markey. If the data is not incomplete, then we should receive the analysis. If the analysis is incomplete, then it should not be commented upon until it is complete. You can’t have it both ways, and releasing it partially in terms of results that you think may ultimately be proven to be true in a way that scares the public but also damages companies and then say that it cannot, that same information cannot be given to the minority, to the Democrats, that so we can analyze it as well.

I thought we did a good job last year actually working together. In fact, the TREAD Act does include two amendments which I was successful in having the committee adopt. One was to have NHTSA establish a dynamic rollover consumer information program so that consumers were better informed about the likelihood of certain vehicles to roll over in particular situations, and NHTSA hopefully is in the midst of a very rapid rulemaking on that issue so that the public can get the information.
And second, I authored an amendment which requires NHTSA to develop an early warning system in vehicles to alert drivers when their tires are significantly underinflated, again more information for consumers so they can protect their own family. I hope that they're moving as well, NHTSA, rapidly toward putting those rules in place.

Mr. Nasser, I’d like to discuss with you a little about the design and development of the Ford Explorer. Most vehicles are designed with something called understeer. Understeer means that your wheels turn less than how far you turn your steering wheel in the car. This is designed for stability reasons.

Firestone’s outside expert found that the opposite phenomenon, oversteer, happens to a greater degree than on other similar vehicles when one of the tires detreads. In other words, Firestone says that a driver of a Ford Explorer is at greater risk because the car will oversteer, the wheels will turn further than the operator turns the steering wheel. This creates obvious instability and increases the likelihood of Explorer rollovers.

Second, Firestone alleges Ford cut safety corners on their tires by reducing recommended tire pressure for the Explorer.

And third, Firestone notes that one of the key factors in tire safety and design is the anticipated load placed on those tires. Firestone notes in its testimony that over time, Ford actually increased the weight of the Ford Explorer.

I’ll quote from Firestone: In fact, through 1996, Ford continually added weight to the Explorer. In 1990 the 4x4 4000 Explorer increased from about 5,000 pounds to nearly 5,400 pounds in 1993 to well over 600 pounds in 1996. It is no surprise that a significant majority of claims that Firestone has received is on the heavier Explorers, unquote.

That’s from Firestone. Did you ask for redesign of these tires when you increased the Explorer’s weight? So if you could deal with those issues, the oversteer issue, the question of design, and also the question on the load placed upon the tires?

Mr. Nasser. We have looked at the study that Firestone commissioned on the handling of sport utility vehicles and we think that study is seriously flawed. We do not agree with it, and we think the sample for the testing was inadequate to draw any meaningful conclusions at all. They used 3 vehicles compared to 15 that we used. They tested a limited number of models. They only tested on one road surface. They did not test under actual event of tread separation. And the data is inconsistent with real world data.

We then looked at the criteria that they used. By the way—understeer, oversteer—in the end, you want a vehicle that’s responsive and the Explorer is a very responsive vehicle. But we used the criteria that Firestone used in terms of vehicle handling, and we looked at 19 other vehicles. Twelve of the 19 vehicles would fall outside of the criteria that they established as a good handling vehicle. And the interesting thing is the more modern vehicles, the vehicles such as the new—they tested the old Chevy Blazer. You test the new Chevy Trailblazer, interestingly enough, it’s very close to the old Explorer in terms of understeer or oversteer. So the bottom line is, from a handling viewpoint, Explorer performs ex-
tremely well and we think well balanced to not only handling but for accident avoidance.

Mr. GREENWOOD. Time of the gentleman has expired.

Mr. MARKEY. He did not answer my question.

Mr. NASSER. I'll answer.

Mr. MARKEY. Did you ask for a redesign of the tire when you increased the load inside of the Explorer that the tire had to carry? Did you ask Firestone to redesign the tire?

Mr. GREENWOOD. Would the gentleman request a unanimous consent for an additional 30 seconds?

Mr. MARKEY. I ask unanimous consent for an additional 30 seconds.

Mr. NASSER. It is insignificant, all that you're looking at that there——

Mr. MARKEY. You're saying the load increase was insignificant?

Mr. NASSER. The vehicle weight of the Explorer increase was insignificant. The data that you're looking at there is not apples to apples. What they did, if you go back and look at the Explorer, there are optional—there was optional equipment on the Explorer that was made standard. That optional equipment was heavily marked as options by our customers. So there wasn't a very large increase in weight at all insignificant.

Mr. MARKEY. Five thousand pounds to 5,600 pounds is more than a 10 percent increase in the weight of the vehicle.

Mr. NASSER. That does not take into account optional equipment. The 5,000 pounds on the 5,600 hundred pounds is standard equipment. If you add a typically equipped vehicle the difference is very small. We can share that data with you.

Mr. GREENWOOD. Chair recognizes the gentleman from Michigan, Mr. Upton.

Mr. UPTON. Thank you, Mr. Chairman. I am sorry I'm a little late. I caught a red-eye back from the other side of the country to come back this morning. And as you know, I was an author, I was the author of the TREAD Act, an act that looked at the many problems over the last couple of years, particularly as it related to the Firestone recall last year.

And I have a little story to relate. Part of it is from my Chairman, Billy Tauzin, who tells the tale that because of the hearings that we had last fall, a dear colleague of ours, Jack Field's wife, checked her tires and in fact there was a problem. She wouldn't have known about the situation unless she had checked.

My daughter's a Girl Scout. She just came back from a trip a couple of weeks ago caving, and we stopped at the house next door to—a neighbor's house, who was one of the Girl Scout leaders, and I saw he drives an Explorer, and I saw a pile of tires in his garage. These tires were not recalled, but they should have been, could have been; because in fact when you press down on this one, when they took them into the local gas station for inspection and wanted them rotated, thank goodness the mechanic said—and I think it's right here—press down on them, you can see that they're about ready to separate. These tires were never on the recall list, but thank God he checked them out. And the mechanic said, I think you ought to replace them, and he did.
That to me underscores your statement a little bit earlier that I heard about increasing—Ford not wanting to increase the tragedy or act, we would have seen with some of these Firestone tires on behalf of the consumer, your customer. And in all of the discussions we’ve had over the last couple of weeks, I believe that very strongly; that you in fact did realize that there were more tires on the road that should have been replaced, going far beyond what the recall did this last year. These tires might have taken the life of my daughter, might have taken the life of our colleague, Mr. Fields.

Thank goodness the work of this committee and the TREAD Act were able to expose a number of the flaws so that in fact we could take those tires away from folks who might have had a real tragedy in their home. And I want to thank you for Ford’s action on replacing those.

This morning getting on the plane in Denver and coming back, I saw the story in USA Today. This afternoon I read the Post story about the Explorer probe, but considered some headline accident data under review, official to say. When did you find out about these charges that came out in the press today?

Mr. NASSER. Congressman, the charges relating to the tires or——

Mr. UPTON. The charges that in fact you were replacing tires with greater flaws than the one you had been—were on the tires themselves. Were you aware of this before today’s hearing?

Mr. NASSER. We were not, and there’s been considerable discussion on that.

Mr. UPTON. I’m sorry that I missed that because I literally just got off the plane and drove in from Dulles.

Mr. NASSER. Mr. Chairman, I think I’ll leave it to you——

Mr. UPTON. Is there going to be ample time for you to be able to respond to that?

Mr. NASSER. Yes. Where we came out, Congressman, is that if that data is true, then we’d like to see it. And Chairman Tauzin said let’s have 30 days to look at this. I said let’s take 30 minutes, let’s look at it, and if it’s real we’ll—we’ll change the—the recall tires that we’ve got out there; and if it isn’t, then let’s not scare the American public. It’s as simple as that.

Mr. UPTON. You know, this last weekend in Michigan, I chatted with all of my Ford dealers in West Michigan that I represent, and they felt that Ford was doing the right thing. They felt that the customers themselves coming in, they thought that there were adequate material that was being presented. There wasn’t a panic like perhaps there had been before, and we had worked with a number of my constituents who are very fearful about driving on the tires that were being recalled last year. But I want to compliment you on what you have done and the challenges that you’re undertaking.

I see my time has expired, so I would yield back. Thank you.

Mr. GREENWOOD. Time of the gentleman has expired. The Chair recognizes the gentleman, Mr. Sawyer, for 5 minutes.

Mr. SAWYER. Thank you, Mr. Chairman.

Mr. Nasser, the good part about this means you’re close to the end. I want to touch on three points that are really more prospective than retrospective. It goes to the question of how we deal with this sort of problem in the future.
I agree with you when you say on page 13 of your statement that we, Ford, will not accept that a tread separation is a normal foreseeable event that manufacturers must accommodate through vehicle design, as asserted by Firestone. I agree with that. But I’m sure you would agree with me that there are many different causes of tire failure, some of which have nothing to do with design but have to do with road damage and abuse of various kinds. I am really concerned about unrealistic expectations of performance, not only for tires but for vehicles, anything that can be abused in a practical road situation. So when Ford went to NHTSA earlier in the year and in its presentation in March asserted, I quote, Explorers have a margin of safety, as designed, to accommodate to a reasonable level component failures including tread separation, I want to ask you what is a reasonable level?

Mr. NASSER. If you look at the market situation, real world field data, in 90 percent of examples, Explorers and other SUVs are very manageable with a tread separation incident, and in 10 percent they are not. And every one of those incidents is tragic, but that’s the way it is. A tread separation is a catastrophic event and it is virtually impossible to design a vehicle around such a catastrophic event.

Mr. SAWYER. There are many different circumstances involving tire failure, however. As Goodyear, as you asserted in your testimony, wrote: While tire—tread separation is a rare occurrence for tires, everyone needs to understand that it is a condition that can occur through misuse, abuse, overloading, severe underinflation, accidental road hazard, and so forth.

Is that not a reasonable assumption—and I am trying to get at—here’s what I’m trying to get at. We are going to ask NHTSA to put some standards on what we see as appropriate levels of concern that are raised by real world data. And you talk about what is a reasonable level that a vehicle and a tire together ought to be designed to in order to deal with component failures, including tread separation.

And I’m trying to get at a—at a very basic question; and that is, how do we measure that?

Mr. NASSER. I don’t think we know at this point. And as I recall, NHTSA had until June of next year to work with the industry to develop these tire standards, and I think it will take that long to do it. It’s complex and it’s important.

Mr. SAWYER. I couldn’t agree with you more, particularly at a time when we are seeing tire production techniques change, not only in this country but European manufacturers as well. I think we can probably foresee a time when much, much shorter production runs and much more careful tailoring of a tire to a vehicle will be the case. That will reduce the base on which failure rates will be calculated. Do you believe that that ought to be taken into account, where instead of talking about a million tire runs, we’re talking about 25,000 tire runs?

Mr. NASSER. You’d have to ask a tire expert on that. I don’t think so actually, when you look at some of the new manufacturing facilities—and we talked about Firestone’s Aiken plant. That’s a high-volume plant and it’s able to produce what seems to be at this point at least very good tires.
Mr. SAWYER. In our last hearing—this is the final point, and then I just have a request to make of you—you talked about Ford's commitment to doing early warning. What I was talking about a moment ago is statistical early warning. It seemed to me that you were talking about direct pressure measurement early warning systems within the vehicle. It seems to me that some of your competitors are talking about using ABS-derived sensory information. That's secondary. I would hope that you could share information with this committee about what direction we ought to urge NHTSA to go.

Mr. NASSER. We will share that direction and specification. More than that, we're absolutely moving on it. We're incorporating inflation gauges in our vehicles, almost as we speak, and we'll lay out the plans that we've got in terms of the other technology that's coming into vehicles across the board.

Mr. GREENWOOD. Time of the gentleman has expired.

Mr. SAWYER. Could I make one request?

Mr. GREENWOOD. Does the gentleman have a unanimous consent request?

Mr. SAWYER. I would have a unanimous consent request. It is personal. I have been driving your Mustang for the last 15 years and I have really enjoyed your vehicles. Could you get somebody in your company to tell me why, from my last Mustang 2 years ago, asking for the same car, my lease price went up 30 percent?

Thank you. Yield back, Mr. Chairman.

Mr. GREENWOOD. The Chair notes that the— it will now recognize the chairman of the full committee for a second round of questioning for this witness. Chair notes that under the rules of the committee, each member is thus entitled to a second round of questioning. No member is obligated to take a second round of questioning. I recognize the chairman for 5 minutes.

Chairman TAUZIN. I thank the Chair.

Mr. Nasser, let me get back to the question of replacement tires because it continues to plague us. Let me first put on the record that our committee requested by letter information from other tire manufacturers regarding claims data on their tires so that when we might do a comparative analysis—and copies of that letter was—those letters were sent to the minority. We also informed the minority that data had been received and it's available upon request. My information is it's been shared with the minority since that request. And so that information, the raw data we received, is available. NHTSA hasn't analyzed some of their claims data and forwarded it to us, which is available publicly, and that indicated there were some tires that were going to be used in the replacement program that had less than—a claims history that was less favorable than some of the tires that are being replaced. That's part of the record as well.

Staff analyzed the raw data, and it's the analysis of that raw data that forms the difference of opinion as to whether it ought to be made public until NHTSA has reviewed it. I have taken the view that we ought to at least give NHTSA a chance to review that analysis to make sure it is correct before we identify that that in-
formation is accurate to the American public, but we'll continue our discussions on that.

In that regard, Mr. Nasser, Ford did do some tests on the replacement tires as I understand, but again staff indicates to me that while Ford ran vehicle handling tests with some of the replacement tires and rig tests on most of the replacement tires, that the test parameters are very different from the test parameters that were set for the earlier tests with all the Firestone tires. Is that accurate?

Mr. NASSER. I don't know whether that's accurate or not.

Chairman TAUZIN. Well, we're told that, for example, that the rig test runs on the replacement tires were all conducted at 26 psi with a load of 1,500, with no variation in the test for speeds—which speed was a very important variation—but load and pressure were not varied while speed was varied, my understanding is. The bottom line is that our information is that the replacement tire tests were conducted under different parameters than the Firestone tire tests, and if that is so, how could Ford be sure that the tires you're going to replace these Firestone tires with are in fact better than the tires that you're recalling?

Mr. NASSER. We will sit down and discuss the different test parameters, but in the end we always go back to the field data, and that's why I was so concerned with your comment; because if the field data suggests that one of those tires doesn't meet our standards, then we'll act.

Chairman TAUZIN. Well then, the next question obviously is did Ford request the claims data from the other companies who manufacture these replacement tires?

Mr. NASSER. We have the claims data and we—and we asked NHTSA if they had any data that would suggest that any of these tires were inappropriate.

Chairman TAUZIN. Did you actually request them from other companies? You see, we did, and that is the raw data we're discussing. It—did you discuss the same data.

Mr. NASSER. I don't know what data you have, but we asked for data as well.

Chairman TAUZIN. From the other companies?

Mr. NASSER. Yes.

Chairman TAUZIN. All right. And then you also asked NHTSA, as I understand it, for whatever claims data they had on these replacement tires. Is that correct?

Mr. NASSER. No. We asked them whether they had any safety defect review on any of the tires that we selected.

Chairman TAUZIN. Okay. In regards to the claims data that you had on the replacement tires, can you share with us what your analysis told you?

Mr. NASSER. I don't have that with me, but we can share it with you. I'll file it after the meeting if you wish to see that.

Chairman TAUZIN. It would be very important if we could have that on the record. Let me explain what is going on here so everyone can know. We just went through a recall of Firestone tires last year. In many cases I was one of those Explorer owners who had to go through recall. I got Goodyear tires, but a lot of other owners got other Firestone tires. And now those Firestone tires are being
replaced in this new Ford recall or replacement program. And the concern expressed is are these owners going to be putting on another tire that they have to replace later on, because we find out later on that this new replacement tire turns out to have been maybe even worse than the tire that they're replacing. And so far at least, NHTSA tells us that may be true with some of the replacement tires.

The raw data we received under our analysis tells us that also may be true. That's why I'd like to get this verified by NHTSA, and if that's true and we present that to Ford, I'm asking in advance what will Ford's obligation be with that information?

Mr. NASSER. Well, if the information is valid and it's true, we would obviously react very quickly. While you were out of the room, I said we wouldn't wait for 30 days; if the data is accurate, we would revise the tires that we're replacing. That's a very serious situation, in fact, that is the—if that is the case.

Chairman TAUZIN. Thank you very much. I yield back, Mr. Chairman.

Mr. GREENWOOD. Chairman yields back. Chair recognizes the gentleman from Michigan.

Mr. DINGELL. I would seek recognition at this time for purposes of a colloquy with my friend, the chairman of the full committee.

Mr. GREENWOOD. The gentleman is recognized for 5 minutes.

Mr. DINGELL. I'll be as brief as I possibly can. Mr. Chairman, I understand your concerns about hurting some of the tire manufacturers, and I have no desire to do that, by untimely release of the raw data. I am troubled about two items which appeared in the paper this morning. And I'm referring—by error I said Yahoo—but in point of fact it is AP-U.S. It says as follows: Representative Billy Tauzin, our Louisiana committee chairman, said congressional investigators have analyzed the failure rates of replacement tires Ford is using made by Michelin, Continental, Goodyear, General, B.F. Goodrich, and Uniroyal, and found that some fail more often than Firestone Wilderness AP tires Ford recalled last month.

It says then to say as follows: Ford is going to replace these recalled tires with tires that have a worse claims history than some of the tires that are coming off the Explorers, Tauzin said. For example, our investigators have learned that one of the tires that is going to be used in replacement has claims of 124 per million tires, well in excess of the 5 claims per million that Ford say is the benchmark in this recall.

It goes on then to say as follows: Tauzin spokesman Ken Johnson said the committee found two additional Firestone tire models used on Ford vehicles. The Wilderness HT and FR-480 had higher rates of claims for property damage than the Wilderness AT.

Then it goes on, skipping a paragraph, says—it says as follows: Tauzin refused to make his data public yet, saying he wanted Federal safety officials to analyze the information first.

Now, Mr. Chairman, with great respect and affection for you, I am not quite sure whether you are telling the committee here that these tires have, on the basis of careful analysis by the committee staff, a worse record of safety than those which—than the Firestone which they're replacing, or that you are not sure as to whether-
er this data has been properly analyzed and we have the information.

I am very much troubled about this. I am willing, if we are making charges about this, of this character, to have the whole business made public and let the necessary Federal agencies, the Ford people, the Firestone people, or the manufacturers of the other tires to make whatever comments, so that this committee and the public at large may arrive at the necessary conclusions.

I think my major concern here, Mr. Chairman, is has there been a good-hearted analysis by the committee staff which relates to the comments that you have made earlier, or do we need further work by the committee staff?

Mr. GREENWOOD. Does the chairman wish to respond?
Chairman TAUZIN. If the gentleman would yield, first of all, I have no doubts about the numerical analysis done by the subcommittee staff. I think it’s accurate and the numbers cited in that news story, although I didn’t write the news story, I think are equally accurate.

If the gentleman would continue to yield, what we’re concerned about is the significance of claims data as it relates to the safety of the replacement tires. And it is the significance of that claims data that I would very much appreciate a chance for NHTSA to comment on before we—before we claim or make the claim that this replacement tire is in fact a worse safety tire than the Firestone tire it will replace.

If I can continue for just a second?
Mr. DINGELL. I will be happy to continue yielding to my friend.
Chairman TAUZIN. The fact is that claims data is not the only data, as I understand it, that Mr. Nasser has used in the Ford analysis, and I don’t believe it’s the only data that NHTSA uses in its analysis. And while it’s important data, its significance in relation to other data may be large or small, I don’t know. And it’s not out of concern so much for the companies and their tires as it is with putting out information that may or may not be significantly valuable in terms of saying don’t put that tire on your car yet. And the reason we have raised the issue with Mr. Nasser and the reason I’d like NHTSA to further evaluate our own staff’s analysis of this raw data is that, if in fact these numbers are significant, that NHTSA and our committee can properly advise the Ford Motor Company, so as Mr. Nasser has said, he would take immediate steps to make sure that in fact a tire that is in fact better is replacing a tire that’s worse, rather than the reverse.

Mr. DINGELL. Well, I would simply observe what my good friend says is significant; if these data are insignificant, why are we making public statements? I would note here that the chairman of the committee said this morning. He said, “and found some to fail more often than the Firestone wilderness AT tires Ford recalled last month,” referring to the analysis by committee investigators. And what I’m trying to establish is, everybody who’s looking at a Ford vehicle, thinking about buying them, they’re wondering whether this recall is in fact going to work. Ford is going to spend $3 billion to recall, and yet here our investigators are saying that these tires that are being replaced are less safe than those that are being pulled off the tire.
Chairman Tauzin. Would the gentleman yield?

Mr. Stearns [presiding]. The gentleman’s time—time of the gentleman has expired.

Mr. Dingell. I didn’t know I was limited. I thought I was having a colloquy with my chairman.

Mr. Stearns. Well, I’d like to——

Chairman Tauzin. I would ask that the gentleman have an additional several minutes so we might finish.

Mr. Dingell. With respect to my two very dear friends, the presiding officer of the committee, and my dear friend, the chairman of the committee, I have got to decide what I am going to do about the release of the documents which have been discussed by the staff of the committee and by my dear friend, the chairman of the committee.

Chairman Tauzin. Would the gentleman yield?

Mr. Dingell. Yes.

Chairman Tauzin. Let me try again. The Chair has not said and cannot say whether these replacement tires are less safe or more safe than the Firestone tires that were replaced. What the Chair is concerned about is that Ford, in its evaluation of the Firestone tires that are the subject of the recall, indicated to us that a 5 claims rate per million tires was the benchmark upon which a decision was made to consider replacing the Firestone tires. It was one of the benchmark considerations.

What we have pointed out is that our information is that some of the replacement tires far exceed this benchmark. NHTSA has similarly pointed that out to this committee and the inquiry that if there are tires with higher than 5 per million failure rate claims records, is that a significant variation, so that in fact Ford may wish to consider using a different replacement tire if other indications are that that tire may not be safe.

Mr. Dingell. Well, you know—and to reclaim my time, and again with great respect for you, Mr. Chairman, let me—let me just read that—it’s remarkable what a fellow can learn by reading in the newspapers.

I note here and it says—I’m quoting this—and I give credit to AP-U.S., said—House Commerce Committee spokesman Ken Johnson said the congressional investigators will reveal the results of their analysis into failure rates of several tire brands during a hearing Tuesday. Johnson said the analysis would show that some of the replacement tires Ford is using fail more often than some of Firestone’s Wilderness AT tires.

It goes on to say, and I’m skipping a paragraph or two here: Ford is working with Goodyear, Continental, and Michelin to get replacements. Johnson would not specify which of these tires had higher failure rates than the Wilderness AT, but said that it would be disclosed at the hearing.

And all I am trying to do is get disclosure and find this out. I know the Ford folks want to know it, and I am sure all the other replacement tire manufacturers want to know about it, too. And so either we have a staff analysis that says this, that’s reliable; or we have a staff analysis which doesn’t say this or is not reliable. I am trying to find out do we have a staff analysis which is reliable, do we have a staff analysis that tells the truth or do we not?
Time of the gentleman has expired.

Chairman Tauzin. Could the gentleman have an additional 2
minutes? I think we need to clarify this, if you don't mind.

Mr. Stearns. The Chair will give an additional 2 minutes to the
gentleman from Michigan.

Mr. Dingell. I thank the Chair, but I didn't know I was time
limited. Now I'll be glad to yield to my friend, if he can clarify what
I just read out of the daily press.

Chairman Tauzin. Well—well, first of all, let me inform the gen-
tleman that the staff analysis is on the claims data only, and the
gentleman from Michigan can look at the raw data that has been
supplied to him.

Mr. Dingell. Well, I have requested both the data and the anal-
ysis, and I'm trying to find out what the worth of the analysis is.

Chairman Tauzin. Would the gentleman yield? The gentleman
has the raw data and can draw his own conclusions from it. Our
staff has drawn the conclusion that the raw data indicates that
some of these replacement tires have a claims history that is not
as good as the tires that are being replaced.

Now, what I'm suggesting to the gentleman, however, is that
that criteria alone may not mean that these are not good replace-
ment tires. We don't know. And until NHTSA has a chance to re-
view this data and comment to us, it is my view that this analysis
by the staff identifying the particular tires would be premature,
and if the gentleman wants to do an analysis and release his own
analysis, he's perfectly all right to do so. He can do so on his own,
without asking me to release data they would first like to have
NHTSA review.

Mr. Dingell. Under the rules, Mr. Chairman, I would note, first
of all, every member of this committee is entitled to every paper
in possession of the committee. I will be happy to cite the rule if
the Chair wishes.

Chairman Tauzin. If the gentleman would yield, we've satisfied
that rule. We have, I think, accorded you all the raw data that was
sent to the committee.

Mr. Dingell. No, you've not satisfied that. I am asking for the
analysis which has been widely discussed here in at least two in-
stances in the press, and I am not going to waive that right. So
I'm asking that the analysis be made available to us, and I hope
that anybody who is listening to this colloquy between my two dear
friends, the presiding officer of the subcommittee and my distin-
guished friend, the chairman of the full committee, will arrive at
the rather unfortunate conclusion that the staff here has been pull-
ing a long bow, and that in point of fact the information doesn't
show these things, or that the chairman of the committee doesn't
have confidence in it because he won't make it available to me and
others so we can know in fact what this says.

Now, I'm going to insist on my rights to have this information
made available to me, and I'm going to insist on my rights to have
it made available in an unexpurgated fashion. I will assure the
chairman of the committee that we will not release the data with-
out appropriate notice to him and opportunity for him to discuss
with me. But in the meantime it appears that perhaps what the
chairman said should be read by the staff, so that the staff will un-
derstand that this data is, if such exists, is of rather limited value and doesn’t prove——

Mr. STEARNS. Time of the gentleman has expired. I would say to the two distinguished gentlemen, we have talked about this earlier. We’re talking about it again. What I suggest, the two gentlemen get together, and I think we have an interpretation of what the analysis has to—in other words, the analysis of the staff.

Chairman TAUZIN. Would the chairman recognize me briefly for a half minute?

Mr. STEARNS. Let me just finish to say that our analysis that our staff has done is the key of whether the chairman wants to, you know, whether that extends—to what extent, I don’t know. And I don’t know what the ruling is, but I would——

Chairman TAUZIN. Would the gentleman recognize me for 30 seconds?

Mr. STEARNS. Absolutely.

Chairman TAUZIN. I thank the chairman.

Mr. Dingell, with the understanding that you have just given me that we will discuss and there will be no release of this data until we’ve agreed, then I will be happy to share the analysis with the gentleman.

Mr. DINGELL. I told my beloved friend, I want the record clear, I told my beloved friend, the chairman of the committee, that I will not release it until I have discussed it with the chairman of the committee.

Chairman TAUZIN. That’s fair. I’ll accept that.

Mr. Dingell. Very well. And I thank my good friend and I thank the presiding officer of the committee for his kindness to me, too, and I note that I’m not limited on time.

Mr. STEARNS. Mr. Nasser, what we have decided to do, so we are going to continue on ahead here, I think we are going to take another round. The chairman has offered this. I’m going to ask a short question. I ask members to keep it within 3 minutes.

Mr. Nasser has been very cordial and hospitable to stay here, so we’re going to make a quick round here, and one question I have deals with a field experience chart. In the field experience chart that’s prepared by NHTSA, not our staff—this is nothing to do with raw data, but NHTSA itself—the 1991-94 model year Explorer is compared to the 1995-1999 model year Explorer. So you have two comparisons and two segmented years. It appears from this chart that the 1991-94 model year Explorer had 50 rollovers. The rollover number jumped to 87 for 1995 to 1999.

I guess an obvious question is—this is NHTSA’s information. They’re saying that maybe there was a change of the suspension and things like this. But could you explain why the rollover number jumped to 87 for the 1995 to 1999 model year Explorer?

Mr. Nasser. If you look at the total sport utility vehicle population, the trend for the two periods that you mentioned there does show an increase in both periods. However, the Ford Explorer is one of the best sport utility vehicles. It was clearly superior in the earlier period than in the second period, and it became pretty much average, and we think there are many different reasons there. One of them is demographics. The number of younger people driving
Explorers in that second period we think increased because of the sports model and the two-door model.

Mr. STEARNS. NHTSA seems to indicate—well, their data shows that. And is it possible that if you changed the suspension for the 1995 to 1999 year Explorer, would that have any impact?

Mr. NASSER. We did change the suspension.

Mr. STEARNS. You did.

Mr. NASSER. We went to a more modern suspension system.

Mr. STEARNS. Okay.

Mr. NASSER. One that is much more in line with today's driving conditions.

Mr. STEARNS. Okay. I am not going to go on with any more questions. I would just point out to you that the answer to the question being demographics might not be all there is, and I suggest that if you want to follow up with a written answer, I want to give you every opportunity to do that; because I think all of us that looked at this, including the staff, were trying to understand and extrapolate what that meant.

Mr. NASSER. We will do that.

Mr. STEARNS. Okay. I'm going to complete my time, and the gentleman from New York, Mr. Towns, is recognized.

Mr. TOWNS. Thank you very much, Mr. Chairman.

Mr. Nasser, some, including Firestone, have said Ford shipped more explorers with Firestone tires than with Goodyear tires to the hot weather States of Arizona, Nevada, Louisiana, Mississippi, Texas and Florida during moderate years 1995, 1996, and 1997. Furthermore, they have claimed that this is an explanation for the higher tread separation claim rates Firestone had than Goodyear had during this period.

Can you tell us how many Firestone-equipped Explorers versus how many Goodyear-equipped Explorers Ford shipped to these hot weather States during the three model years?

Mr. NASSER. Okay. If you include Arizona, Florida, Louisiana, Mississippi, Nevada and Texas, for the 1995 through 1997 model year, there were 95,000 Explorers with Firestone tires and there were 85,000 explorers with Goodyear tires. So, a fairly similar number of explorers in that geographic area.

Mr. TOWNS. And for the Goodyear-equipped Explorers, there were no tread separation claims at all involving injuries, deaths, or lawsuits during this time; is that correct?

Mr. NASSER. That's what we believe, yes.

Mr. TOWNS. But most of the tread separation claims have come from hot weather States; is that correct?

Mr. NASSER. The majority, yes.

Mr. TOWNS. We know there were 1,183 Firestone tread separation claims during this period. So a large share of these claims must have come from the hot weather States. What percentage of these Firestone claims would you estimate to have come from the hot weather States.
Mr. Nassar. I don’t have that data with me, but we will provide to it you.

Mr. Towns. Mr. Chairman, I’d like to ask that the record stay open until we can receive that information.

Mr. Stearns. By unanimous consent, so ordered.

Mr. Towns. And before I yield back, Mr. Chairman, I’d also like to request that we put a statement in the record from Congresswoman Eva Clayton from the State of North Carolina.

Mr. Stearns. By unanimous consent.

[The prepared statement of Hon. Eva M. Clayton follows:]

PREPARED STATEMENT OF HON. EVA M. CLAYTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH CAROLINA

Mr. Chairman, I appreciate the opportunity you have afforded me to share with you and your Committee my views on the issues of this important investigation. Ford and Firestone have suggested different causes of the high incidences of tread separations and vehicle rollovers. These causes have ranged from allegations of defective tires, to defective steering mechanisms to negligent consumer practices. Under these circumstances, it is impossible for the average consumer to ascertain the actual facts.

In the complex interplay between competing, often powerful forces in our society, disputes sometimes arise that require the mediating and ameliorating hand of the government to sort out in an independent manner the conflicting contentions, to evaluate inconsistent scientific supporting data, and to ascertain responsibility for unsafe products. The public depends on the government to serve this role fairly, fully and promptly. In the matter of the Ford-Firestone dispute, you have accepted this task.

The outcome of your investigation, and the similar investigation being conducted by the National Highway Transportation Safety Administration, will help to clarify for the public the actual facts in this controversy. Also, your investigation very likely will have a significant impact on consumer confidence, individual and corporate reputations and, most importantly, on consumer safety. Our citizens should be able to use cars and tires without fear of losing their lives or suffering injuries on our highways because these products are not made safely.

Firestone has a tire manufacturing plant in Wilson, NC, a small town in my district in eastern North Carolina. I have toured this plant and met some of the workers there. This plant employs more than 2,000 workers. These workers strive to produce tires that are safe and without defects. Many of them are involved in civic and community affairs in their communities. These workers, their families and several communities which depend upon their financial support, may be severely affected by the outcome of your investigation. Similarly, numerous other families and communities of workers of both Ford and Firestone in other parts of the country will anxiously await the outcome of your deliberations. We trust that your investigation will include a fair and comprehensive analysis of all relevant tire and vehicle safety issues. This is an important task and I am confident that you and your Committee will render a valuable and honorable service to the nation. Thank you.

Mr. Towns. Thank you. I yield back.

Mr. Stearns. The gentleman from Michigan is recognized for 3 minutes.

Mr. Upton. Thank you. Again I apologize for being a little bit late for the hearing. I just have a couple of questions as we examine this issue on the newspaper reports today. Did you ask NHTSA if other tires had a higher failure rate than the ones you were replacing with the Firestone?

Mr. Nassar. We asked NHTSA to review the proposed list of replacement tires to see if the Agency had any concerns in the past or any potential concerns in the future. And the list we gave NHTSA, they did not have any concerns.
Mr. UPTON. So NHTSA has, at least as of this moment, has not come back to you and said brand X has got a higher tire failure rate than the ones you replaced; is that correct?

Mr. NASSER. That's correct. The first we heard about it was in the press this morning.

Mr. UPTON. And have any of the tire companies whose tires you used to replace the bad Firestone—or the Firestone tires—have any of those companies come, shared with you evidence that in fact they have a higher failure rate than the ones that—Firestone tires that you were replacing?

Mr. NASSER. Not that I am aware of, and we certainly wouldn't include those tires if that was the case.

Mr. UPTON. Right, right. So until this morning you had—these newspaper reports came out—there was no evidence that the replacement tires that you were replacing on Ford customers' cars had a higher failure rate than the Firestone tires; is that right?

Mr. NASSER. That's correct.

Mr. UPTON. Thank you. Yield back.

Chairman TAUZIN. Would the gentleman yield?

Mr. UPTON. I'd be glad to yield.

Chairman TAUZIN. I thank the gentleman for yielding. I'd simply like to put in the record something I received today Mr. Nasser, which is my notice from the Ford Motor Company requesting information on my Explorer. And this, as I understand it, this is what is being sent out to customers across America.

Mr. NASSER. That's right.

Chairman TAUZIN. Which indicates not only the tires to be replaced but acceptable replacement tires; is that correct?

Mr. NASSER. Yes.

Chairman TAUZIN. And it's a fairly long document, but I thought it would be important to have it in the record.

Mr. STEARNS. By unanimous consent, so ordered a part of the record.

[The information referred to follows:]
Ford Motor Company

June 8, 2001

W. J. Taulin
426 Lafayette ST
HOUma, LA 70360-4370

Your Vehicle: 1993 Explorer
Your Vehicle Identification Number: 1FMOU344PXJ200668

Firestone Wilderness AT Tire Program

Ford Motor Company has decided to replace all Firestone Wilderness AT tires (15-, 16- and 17-inch) on Ford Motor Company products as a precautionary measure aimed at preventing potential tire failures from occurring in the future. The likelihood of tire failure in the near term is very low for owners of vehicles with newer tires. Our records indicate that your vehicle may have Firestone Wilderness AT tires as either original equipment or replacement tires.

Why we are replacing these tires.

This replacement program is both a voluntary and precautionary action. We made the decision to take this action after extensive examination of real-world data, laboratory and track testing, and consultations with the National Highway Traffic Safety Administration.

These efforts, in conjunction with our testing and statistical analyses, have revealed that Firestone Wilderness AT tires have a significantly lower failure rate than the tires recalled last summer and that the age of the tire has a considerable impact upon its performance. However, our analyses also indicated that some Firestone Wilderness AT tires, particularly older tires (over three years), have elevated failure rates compared to other tires.

These failures include possible tire tread separation, in which the outer steel belt and/or tread of the tire separates from and may become totally detached from the rest of the tire. Tire tread separation could potentially result in loss of vehicle control and/or a crash. Because Ford does not have sufficient confidence in the future performance of these tires as they age, we’re acting now in the interest of your safety to maintain your continued trust and confidence.

How this program differs from last year’s recall.

Last year (Summer 2000), Firestone implemented a safety recall to replace certain 15-inch Wilderness AT and Radial ATX tires due to elevated failure rates. At the time of the Firestone recall, Ford Motor Company established an early warning system and continued to analyze real-world data to help predict tire failures before they occur.

Recent real-world data from Firestone revealed that failure rates are beginning to increase for some of the Wilderness AT tires. We view these findings as early warning signs that we cannot ignore. That is why Ford Motor Company is now voluntarily replacing all 15-, 16- and 17-inch Firestone Wilderness AT tires on Ford vehicles as a preventive measure to ensure your safety.

Firestone Tires Included in This Program

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<td>Mercury Mountaineer</td>
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Firestone Tires Not Included in This Program

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<tr>
<td>Ford F-150</td>
</tr>
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<tr>
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<td>Ford Five Hundred Mercury Grand</td>
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<tr>
<td>Ford Five Hundred Mercury Mariner</td>
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<td>Ford Five Hundred Mercury Montego</td>
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<td>Ford Five Hundred Mercury Monterey</td>
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<td>Mercury Cougar</td>
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<td>Mercury Grand Marquis</td>
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</tr>
<tr>
<td>Ford Explorer</td>
</tr>
<tr>
<td>Explorer Sport &amp;</td>
</tr>
<tr>
<td>Explorer Sport Trac</td>
</tr>
<tr>
<td>Ford Ranger</td>
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<td>Ford F-150</td>
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Wilderness HT on:
Ford Escape
Ford Explorer
Explorer Sport &
Explorer Sport Trac
Ford Ranger
Ford F-150

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Ford Escape
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Wilderness HT on:
Ford Escape
Ford Explorer
Explorer Sport &
Explorer Sport Trac
Ford Ranger
Ford F-150
What we are asking you to do.

Before doing anything else, check the tires that are now on your vehicle, including the spare tire. If you have Firestone Wilderness AT tires, they should be replaced. If you DO NOT have Firestone Wilderness AT tires on your vehicle, ARE NOT seeking a refund, or have changed your address, please complete and mail the enclosed postcard.

To have your tires replaced, call your Ford or Mercury Dealer or authorized tire retailer (see contact information below to obtain authorized retailer list) and request a service date for the Firestone Wilderness AT Tire Replacement Program. If you have never Firestone Wilderness AT tires (under three years), you may be put on a waiting list, as older Wilderness AT tires will be replaced first.

You can help to further minimize the potential for any type of tire failure by keeping tires properly inflated to the recommended pressure, avoiding overloading your vehicle, and observing posted speeds. For Firestone Wilderness AT 15-inch tires on Explorer and Mountaineer model vehicles, the recommended tire pressure is 30 psi.

What Ford Motor Company and your dealer (and authorized tire retailer) will do.

Your Ford or Mercury Dealer and certain authorized tire retailers will replace any Wilderness AT tires, including the spare tire, (15", 16" and 17"-inch) on your vehicle regardless of age, mileage, or whether they are original equipment tires or replacement tires free of charge.

For Tire Replacement After May 22, 2001:

If you have NOT had your tires replaced:

We recommend that you have your tires replaced at your local Ford or Mercury Dealer or authorized tire retailer with tires that are specified on the enclosed "Approved Wilderness AT Replacement Tire List." If you have not already done so, please refer to the enclosed list.

If you have tires replaced at non-authorized locations:

If you are not able to use your tires replaced at your Ford or Mercury Dealer or authorized tire retailer, Ford will reimburse you. Up to $100 per tire for each 16-inch or 17-inch tire, or $50 per tire for each 15-inch tire in order to receive reimbursement, you must go to your Ford or Mercury Dealer and provide them with:

1. Your original and receipt.
2. The purchase of your replacement Firestone Wilderness AT tires that contain the DOT Code. Ask the dealer you purchased the tires from to cut it off the tire and staple it to the receipt. Your receipt must contain the DOT Code and be available. Your replacement tires must be of the same size and load range as your original tire. If you have any questions about the DOT Code, go to wwwDOTcom to learn more about the purpose of the DOT Code.

If you have more concerns:

If you have trouble getting your tires replaced promptly and without charge, please contact your dealership's service manager for assistance.

If you have further questions or would like to receive an updated list of replacement tires or authorized tire retailers, please call us toll-free, 24 hours a day, seven days a week at 1-888-360-1226, or e-mail us at tireinquiry@ford.com. For the latest information on-line, go to www.ford.com.

We apologize for any inconvenience this may cause you and thank you for your attention to this important matter. Maintaining your safety, your satisfaction and our trust is our top priority.

Sincerely,

Ann O'Neill
Director
Vehicle Service and Programs

P.O. Box 1904, Dearborn, MI 48121
# Approved Wilderness AT Replacement Tires

We strongly recommend you replace your tires with those indicated on this list. These tires have met our testing and analysis requirements and have excellent on-road performance records.

## RANGER APPLICATIONS

The following tires are approved replacements for Wilderness AT on all Ranger size P215 / 75R15

<table>
<thead>
<tr>
<th>Tread Design</th>
<th>Ford Part #</th>
<th>Manufacturer</th>
<th>Tire Brand</th>
<th>Speed/Load</th>
<th>Sidewall</th>
</tr>
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<tbody>
<tr>
<td>AT</td>
<td>9060 1370450000</td>
<td>Coscoyear</td>
<td>19R235</td>
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<tr>
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The following tires are approved replacements for Wilderness AT on all Ranger size P235 / 75R15

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## Explorer and Mountainaire APPLICATIONS

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The following are approved replacements for the Wilderness AT in the ONLY Explorer and Mountaineer models:

### 1997 through 1994, 1996 through 2001 size P235 / 70R16

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<td>LTX AT</td>
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The following are approved replacements for the Wilderness AT on ALL Explorer and Mountaineer P235 / 70R16:

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<tbody>
<tr>
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<td>Goodyear</td>
<td>Wrangler AP</td>
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</tr>
<tr>
<td>AS</td>
<td>3001 13484568</td>
<td>Goodyear</td>
<td>Wrangler UT/S</td>
<td>108S 52</td>
<td>OWL, TL</td>
</tr>
<tr>
<td>AS</td>
<td>3004 49882</td>
<td>Michelin</td>
<td>LTX M/S</td>
<td>122S</td>
<td>OWL, TL</td>
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<td>AS</td>
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<td>General</td>
<td>Grabber AX</td>
<td>108S 11/2</td>
<td>OWL, TL</td>
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The following are approved replacements for the Wilderness AT on ONLY Explorer and Mountaineer models:

### 1996 through 1997 size P235 / 70R16

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EXPERIMENTAL APPLICATIONS

The following are approved replacements for Wilderness AT on ALL Expedition P235 / 70R16:

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The following are approved replacements for Wilderness AT on ALL Expedition P235 / 70R17:

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F-SERIES and BRONCO APPLICATIONS

The following are approved replacements for Wilderness AT on F-Series and Bronco P235 / 70R15:

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</tr>
<tr>
<td>AS</td>
<td>3004 49882</td>
<td>Michelin</td>
<td>LTX M/S</td>
<td>122S</td>
<td>OWL, TL</td>
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<tr>
<td>AS</td>
<td>3002 15-126100000</td>
<td>General</td>
<td>Grabber AX</td>
<td>108S 11/2</td>
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</tr>
<tr>
<td>AS</td>
<td>3004 75964</td>
<td>BF Goodrich</td>
<td>All Terrain T/A</td>
<td>113S</td>
<td>DRW/L</td>
</tr>
</tbody>
</table>

The following are approved replacements for Wilderness AT on 1997 F-Series P235 / 70R16:

<table>
<thead>
<tr>
<th>Tread Design</th>
<th>Ford Part #</th>
<th>Manufacturer</th>
<th>Tire Brand</th>
<th>Speed/Load</th>
<th>Sidewall</th>
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<tr>
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<td>BF Goodrich</td>
<td>All Terrain T/A</td>
<td>104S</td>
<td>DRW/L</td>
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<tr>
<td>AT</td>
<td>2004 09941</td>
<td>BF Goodrich</td>
<td>All Terrain T/A</td>
<td>104S</td>
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<td>AS</td>
<td>3002 1540150000</td>
<td>General</td>
<td>Ameristar KD</td>
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<td>Ameristar KD</td>
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Ford is continuing to test additional tires and will update the list as more tires are validated through our process. You can receive an updated list at your local dealer or at www.ford.com.
Mr. STEARNS. Gentleman yields back the balance of his time, and at this point the gentleman, Mr. Strickland, is not here. Mr. Gordon from Tennessee is recognized for 3 minutes.

Mr. GORDON. Mr. Nasser, I want to salute your patience and bladder. You’ve done a very good job of putting up with all of us today. I had to be short with you because I wanted to get my two questions in earlier. I just want to give you the opportunity, if you want to clarify or follow up on anything they might have asked you earlier.

Mr. NASSER. I’d just like to go back to the issue that was raised earlier on the replacement program. We clearly are very concerned. Our strategy isn’t to replace bad tires with bad tires. That doesn’t make any sense at all, and we would appreciate that information as quickly as possible. The worst thing that can happen here is that our customers are confused and don’t know what to do.

And if we’re not helping that situation, then we are not doing our jobs, and I take that responsibility very seriously. So we’d like to clear that up as quickly as we can, as soon as this hearing is finished.

Mr. GORDON. I guess if I have another moment, I’ll just ask once again, just to be sure; you’re saying that the tires on the Toyota 4-Runner and the Jeep Grand Cherokee are different ones than—

Mr. NASSER. They are different tires. We have had examples where the same tires have been placed on Toyotas and other vehicles as replacement tires, where the customer replaces the original equipment tire, once it’s been worn, with one of these Wilderness tires. And the interesting thing is that the tread separation rate on those competitive vehicles is about the same as we’re seeing on our vehicles.

Mr. GORDON. But it is the same tire on the Ford Ranger?

Mr. NASSER. On the Ford Ranger 4x4 model, it is the same tire.

Mr. GORDON. Thank you. And again, thank you for your patience.

Mr. STEARNS. The gentleman yields back the balance of his time.

The gentleman, Mr. Stupak, is recognized for 5 minutes.

Mr. STUPAK. Thank you, Chairman. I don’t mean to belabor this point more than we already have today, but I’ve sort of started. So I’d like to ask the Chair of the full committee, if you could give us some kind of inference of the statements that have been appeared in the press. I take it one of three ways. The tires that Ford’s about to replace, the Firestone tires, are either more dangerous or they’re less dangerous, or the majority doesn’t have enough data to make that judgment. Could you help us clarify that a little bit?

Chairman TAUZIN. Will the gentleman yield?

Mr. STUPAK. Yes.

Chairman TAUZIN. We know at least in one category, one parameter, the question of claims data against the tire, that some of the replacement tires, according to NHTSA’s information, have higher claims data rates than the tires that are being replaced. Do you.

Mr. STUPAK. Then is that claims data enough to make a judgment, or do you need more information?

Chairman TAUZIN. We need more information. Second—if the gentleman would yield?

Mr. STUPAK. Sure.
Chairman Tauzin. According to the raw data we received from other tire companies who are on this list that I just put into the record, there are several tires that have claims data rates as high as 124 per million, which is a rather significant number if 5 per million is one of the benchmarks used in this replacement program. And, therefore, finding out how significant that claims data is, is fairly critical to the question you asked about safety.

Mr. Stupak. So to answer the question, you need more information, because the claims data rate is not enough to make an analysis whether or not the tires being replaced are more dangerous or less dangerous?

Chairman Tauzin. That is my opinion, and that is why I have asked NHTSA to immediately review this, to let us know that—and to let Ford Motor Company know so that they might have the benefit of that analysis.

Mr. Stupak. Okay. But as I'm trying to clarify this here—because I agree with Mr. Nasser; I think we're all pretty much confused on what to do now. For those of us, like yourself, who own the Explorers or the Expedition, whatever it may be—again, I mean, what message are we trying to communicate here to the general public, to the American people? That we need more information, or what?

Chairman Tauzin. What I'm trying to do is to make sure that since this is not a government recall—this is a corporate-sponsored replacement program—that we don't end up having a government recall that follows it to replace the tires all over again——

Mr. Stupak. I agree.

Chairman Tauzin. [continuing] because we've used the wrong replacement tires. So the message I'm trying to say—and hopefully NHTSA got it, and I think they did because we had some serious conversations before this hearing today—is that we need NHTSA immediately to assist both this committee and Mr. Nasser's company with this analysis of—so they can announce publicly whether any of the tires on the replacement list should be taken off the replacement list.

Mr. Stupak. And if it's not a recall and if Ford is doing this replacement program, then I think it's only fair to give Ford, before they even leave here today, all your data and your data analysis, because this is not a recall, this is a replacement. They should have it so they're not back here doing another replacement.

Also, I guess if you're asking NHTSA to do it, what other information does NHTSA need to make a sound, total judgment on this incomplete information that's being publicly released?

Chairman Tauzin. Will the gentleman yield?

Mr. Stupak. Yes.

Chairman Tauzin. That's the reason why I asked Mr. Nasser extensively, rather, what was requested by his own company and what testing was done on these replacement tires. But if he does not have the information, the raw data we have, we are more than happy to share it with him. And you have copies of it. We have copies of it. We'll make sure he has copies of it.

Mr. Stupak. Okay. So the information we've seen in the media today, whether it's the Detroit Free Press or the——

Mr. Stearns. The gentleman's time has expired.
Mr. STUPAK. If I can just finish. The message—we want to clarify or correct the information that these tires may not be more dangerous, that we need more information. So we should really correct that information; correct, Mr. Chairman?

Chairman TAUZIN. I’m looking at the AP report. The only quote contained in there that came from our committee spokesman was that there are brands that have actually higher claims rates. That’s all we know. There is no—if the AP story went on to draw the conclusions—that’s the AP writer. The only thing we know at this point, the only thing that was reported and that has come out in this hearing, is that there are tires that NHTSA has identified, and now that our own staff have identified, that have higher claims rate than 5 per million, and that obviously before those tires are replaced, put on cars as replacement for other tires, somebody, NHTSA, ought to give us some good information as to whether or not that claims data is significant enough to make a difference.

Mr. STEARNS. The gentleman’s time has expired. Mr. Sawyer is recognized for 3 minutes.

Mr. SAWYER. Thank you, Mr. Chairman. I have a couple of questions, and they go to the question that—you made earlier, Mr. Nasser, to the effect that you cannot go out and test every tire on every vehicle. And I agree with that. That doesn’t make any sense.

At the same time, in the letter that you’ve cited from Goodyear, they suggest that there’s no desire, nor have manufacturers even raised the question of tire manufacturers doing similar kinds of testing of every tire on every vehicle. Should that be done? Or is generic testing to different protocols by different tire manufacturers sufficient to give you comfort into the future that the tires will perform as expected?

Mr. NASSER. I think it’s a combination of both, and there does need to be much more communication, not only between the tire manufacturer and the automotive manufacturer, but also information that comes from the field. And I think that’s what really drove the TREAD Act of last year. We support it. We welcome it. And—but whatever we do, it must be based on tires that have high quality levels and that have the technology that is appropriate for today’s driving conditions.

Mr. SAWYER. That brings me to my second question. You’ve hit it squarely on the button. Earlier you had said that the exchange of information with regard to the changing weight of the vehicle and the suspension of the vehicle was not significant. It may have been; it may not have been. I’m not going to argue that today. But you also talked about the fact that a number of the tires that have exactly the same designation may not be the same tire, and the truth of the matter is that tires evolve over the life of a product as well.

Should there be requirements, protocols under NHTSA, for the exchange of information as products evolve in their design throughout their useful life?

Mr. NASSER. I strongly believe that if tire manufacturers change the design of a tire, then they should inform the vehicle manufacturer. As a matter of fact, with our purchase order we make it very
clear that any changes to the design of a tire should be communicated to the vehicle manufacturer.

Mr. Sawyer. Should the same thing apply to you in the other direction?

Mr. Nasser. I think it does, but I certainly think it should be in both ways. It should be a dialog, not one way.

Mr. Sawyer. Thank you.

Mr. Stearns. My colleagues, I believe we have expired all the second round. So, Mr. Nasser, sincerely and on behalf of the full committee—subcommittee—both myself and Mr. Greenwood, we thank you sincerely for staying with us and your forthright answers. And now we'll move to panel No. 2. Thank you.

Mr. Nasser. Thank you very much.

Mr. Stearns. Panel No. 2 is Mr. John Lampe, President and Chief Executive Officer, Bridgestone/Firestone. Mr. Lampe, you're welcome. Let me just say to my colleagues that—so we can continue to go on, I urge them to ask the questions. If perhaps you have desire for colloquy, that we could perhaps move that member to member, and we can continue on with the questions here so that we can get through to our third panel, which is also patiently waiting.

And so with that, Mr. Lampe, at your convenience, we'll welcome your opening statement.

You are aware that the committee is holding an investigative hearing, and in doing so has had the practice of taking testimony under oath. Do you have any objections to testifying under oath?

Mr. Lampe. No, sir.

Mr. Stearns. The Chair then advises you that under the rules of the House and the rules of the committee, you are entitled to be advised by counsel. Do you desire to be advised by counsel during your testimony today?

Mr. Lampe. No, sir.

Mr. Stearns. In that case, if you'd please raise your right hand, I'll swear you in.

[Witness sworn.]

Mr. Stearns. You are now under oath. You may now give a 5-minute summary of your opening statement.

TESTIMONY OF JOHN LAMPE, PRESIDENT AND CHIEF EXECUTIVE OFFICER, BRIDGESTONE/FIRESTONE, INC.

Mr. Lampe. Chairman Stearns, Chairman Tauzin, and distinguished committee members, I am John Lampe, and I am the CEO of Bridgestone/Firestone. First I'd like to thank you for holding this hearing and inviting me to testify, and I appreciate the very hard work on all these issues by the members of this committee, by the other members, and by their staffs.

Mr. Chairman, it's no secret that this year has been a struggle for us. We've learned a lot since we were here the last time, and some of it we've learned the hard way. But as a result, we're more responsive now to the American public, to our customers, to Congress, and to NHTSA. We're doing what's right. And our 45,000 employees are a great team. They're fully committed to making safe quality tires and to regaining the public's trust. Yes, we've
been hit hard, very hard, but I believe with all my heart we will make it.

But let’s talk about our tires, and first let me assure you that the Firestone tires that are on the road today are completely safe, and our real world data proves that.

The 13 million tires that Ford is replacing have a claims rate of .0009 percent. That’s 9 out of every 1 million tires. And most of these claims are on the Ford Explorer. The identical tire on the Ford—is on the Ford Ranger, and yet the tread separation claims on the Ranger, exact tire, is 8 times less than that of the same tire on the Explorer. And if that weren’t enough, Wilderness AT tires on General Motor’s vehicles have only 2 tread separation claims on 3.1 million tires that we’ve supplied General Motors. And these 2 claims were minor, minor property damage claims, did not result in accidents.

Also, several million of these tires that Ford is replacing under their program have never, ever had a claim. And the bottom line, replacing good tires with other tires, is a diversionary tactic and it won’t increase or improve customer safety.

We’ve also conducted an extensive array of scientific tests comparing our tires to our competitor tires. And this testing supports the data we see from the real world. We perform peal tests to measure the amount of force it takes to tear apart the two steel belts. We conducted Society of Automotive Engineer high-speed tests, and we performed belt-edge temperature tests to see if the internal temperature of the tires are the same as those other tires in the marketplace. And these are just some of the tests we’ve performed. But in every test, the Wilderness AT tires performed within industry norms, oftentimes outperforming our rivals. Our testing confirms what we’ve been saying all along: Our tires are safe, and we have the tests. We have the real world data to prove it.

But now let’s compare our testing to Ford’s testing of the tires. We use standard industry testing procedures. Ford, on the other hand, did not; and what little they’ve shared with us reveals that Ford’s testing of tires and our tires was, at best, unscientific; and, at worst, misleading. Ford took new Goodyear tires and compared them with old Firestone tires, some of which were 9 years old. But when you take and compare the same age of tires—Firestone tires versus the Goodyear tires from Ford’s own data—we are as good as our competition, and in many cases better.

Ford talked about tire temperatures, and Ford ignored, though, the internal temperature of a tire, the temperature that is very important when looking at such things as tread separations. Ford chose to use surface temperatures. We don’t know why. It has no correlation to internal temperature. And as the Wall Street Journal reported, Ford did not use the same inflation pressure and loads when testing Firestone tires against Goodyear tires. We heard two or three times this morning about apples to apples. I think we need an apples-to-apples comparison here as well.

And finally, Ford’s protections of future Firestone tire failures are purely speculative. They’re not based on real world data. Yes, with these hazard plots, you can make those lines go anywhere you want, based on the assumptions you use.
And next, Mr. Chairman, I must say—and this is not easy for me to say as well—but there is something wrong with the Ford Explorer. The testing and accident data we have submitted prove it. When I was here last year, I said to all of you that you could take all our tires off the Ford Explorer and the Ford Explorer would continue to roll over. And unfortunately, that’s exactly what’s happening.

But it didn’t have to be this way. We at Firestone asked Ford to work with us so that we together could look at the tire—and we looked at the tire a lot, but at the vehicle as well, and the tire vehicle interaction. But Ford refused, and we had no choice. We had to go it alone. Ford left us no other option.

Mr. Chairman, these are the facts. The loss of a tread or air in a tire shouldn’t cause a driver to lose control of his vehicle. The driver should be able to pull over, not roll over. Even Ford’s own export—expert car engineering agrees with that. Dr. Dennis Gunther is considered to be one of the most highly regarded, renowned experts in vehicle dynamics, and he’s worked with NHTSA before, and he’s worked for some of the automobile companies. And he found that when a rear tire separates on some models of the Ford Explorer, the vehicle goes from a slight understeer—and you talked briefly about understeer, oversteer this morning—from a slight understeer to an oversteer condition, where the rear tires can spin out, just like you’ve experienced sometimes on ice. But the important thing, according to Dr. Gunther, it’s both the transition, transition from understeer to oversteer, and the oversteer itself that often make it a dangerous situation for the average driver to be able to maintain directional control on the Explorer at normal highway speeds after a tire separation.

And the real world data supports Dr. Gunther’s finding. The Florida traffic crash data base shows that for the 1994 through 2000 model year vehicles registered in Florida, the Explorer rolls over twice as much as all other SUVs in single-vehicle, nontire-related accidents.

Mr. Chairman, last year this committee asked us why we didn’t do more when we had reports of tread separations coming out of Venezuela. Well, now there are new reports from the Venezuela Consumer Protection Agency that the Explorer continues to roll over with other brands of tires. In fact, since May of 2000, there have been 43 judicially—judicially confirmed, certified Explorer rollover crashes in Venezuela, and they’ve been on competitor tires. In the last 10 days alone, there have been four people that have been fatally injured in two separate Ford Explorer accidents in Venezuela on different brands of tires, not ours.

Surely these warning signs can’t be ignored. As I’ve said before, I said it last year, Ford can replace all the Wilderness AT tires on our vehicle, but the Explorer will continue to roll over. We need to understand why. And I know you want to understand why. We owe it, I owe it, to the men and women who make our tires, to the stores and dealers who sell our tires, and we all owe it to the people on the roads and the highways that drive on our tires. No one cares more about safety than we do, and we’re doing our part. We’re taking responsibility for our tires. We did a massive recall,
and now we’re doing what’s right by asking the tough questions on the Ford Explorer.

One of our Nation’s greatest industrial pioneers once said, don’t find fault; find a remedy. Since the very beginning, Ford has only wanted to find fault, blaming our tires. We, on the other hand, have said that the vehicle tire interaction needs to be examined in order to find a remedy. And, by the way, that great man that said don’t find fault, find a remedy, was also Henry Ford.

I truly wish I could say with pride that Ford is still one of our best customers, and I sincerely hope there comes a day when Bridgestone/Firestone can do business with Ford again, but that day won’t come until we answer the tough questions on the Explorer.

I would like to commend Chairman Tauzin for urging NHTSA to examine the vehicle and the tire in a balanced way, because there are very hard questions to be answered. Why is the Explorer so much more likely to roll over in related crashes? If it’s just a tire issue, why are Explorers continuing to roll over in Venezuela at high numbers, even after Ford replaced all the Firestone tires? Why is the Explorer harder to control than other SUVs after a rear-tire separation? And why do our tires perform so well on other vehicles?

Firestone will continue to work with the government to get the answers the American public deserves to these and the other tough questions. And I am glad to hear Mr. Nasser this morning and Ford agree in the same spirit to support NHTSA’s investigation of their vehicles.

Thank you again for inviting me here to testify, and Chairman Stearns, using your words, I welcome the opportunity to answer reasonable questions.

[The prepared statement of John Lampe follows:]

PREPARED STATEMENT OF JOHN LAMPE, CHIEF EXECUTIVE OFFICER, BRIDGESTONE/FIRESTONE, INC.

I. INTRODUCTION

Chairman Stearns, Chairman Greenwood, Chairman Tauzin, and distinguished Committee Members, I am John Lampe, CEO and President of Bridgestone/Firestone, Inc. Thank you for inviting me to testify today. Since I appeared before this Committee on September 21, 2000, much has happened. Our team at Bridgestone/Firestone has been working vigorously to protect the safety and restore the trust of our customers by assuring and enhancing the quality and performance of our products. We have accomplished a great deal, and we have learned a great deal.

In my statement today, I would like to address the following four topics:

First, Firestone takes responsibility for the safety of its customers. We have devoted all available resources and energy to the August 9, 2000 recall. We conducted extensive research to determine the causes of tread separations and rollover crashes involving the Ford Explorer. We instituted targeted changes to improve our products and we have enhanced our ability to monitor the performance of our tires in the field.

Second, Firestone tires on the road today are safe. The recall of more of our tires is not necessary and will not increase customer safety. I will present data that prove our tires on the road today are every bit as safe as the comparable competitors’ tires on the roads today.

Third, to find the whole truth regarding Ford Explorer rollover crashes, it is imperative that the Congress, the NHTSA, and the public examine the vehicle issues as well as tire issues. I have said from the outset that no research, analysis or remedy for tire-related Explorer rollover crashes can be complete without carefully addressing the contribution of vehicle characteristics. Today, I will present claims data that show that the same tire on vehicles other than the Ex-
plorer performs quite well and that the tread separation rate, while still low, is elevated when that tire is on the Explorer. I will also present test data that precisely identifies that characteristic of the Explorer which makes it extraordinarily prone to rollover crashes in the event of a tread separation, an event that can happen with any tire.

Finally, I want to take this public opportunity to make Firestone’s recommendations as to how drivers can help protect themselves against the possibility of serious crashes like those that prompted the Committee to investigate this matter.

II. THE RECALL

Beginning on August 9, 2000, Firestone voluntarily recalled approximately 6.5 million P235/75R15 ATX and Decatur Wilderness AT tires fitted primarily on the Ford Explorer family of vehicles. Our concern for the safety of our customers was paramount, so we took this action before we knew what caused the increased rate of tread separation claims. I am proud of the fact that our recall campaign was carried out very rapidly. From the date we announced the recall through January 2, 2001, we replaced 92 percent of the tires. As of today, more than 8.3 million tires have been replaced, approximately 97 percent of the total number recalled. By any measure, this is an outstanding performance, and one which reflects well on every member of the Firestone team.

III. FIRESTONE TIRES ON THE ROAD TODAY ARE SAFE

On Monday, May 21, Firestone informed Ford Motor Company that it had no choice but to terminate its almost 100-year relationship and stop supplying tires to Ford. Firestone took this action because Ford simply refused to examine with Firestone what, if any, role the Ford Explorer had in the increased rate of tread separation claims and the subsequent rollovers that led to the catastrophic accidents. In fact, in October 2000 I sent a letter to Mr. Nasser asking his cooperation into an investigation of both the vehicle and the tire. Regrettably, Ford refused to jointly investigate the vehicle.

On May 22, Ford announced it would unilaterally recall all Wilderness AT tires fitted on Ford vehicles. We believe strongly that Ford’s action is motivated by a desire to divert attention from safety concerns of the Explorer. The data from both testing and actual experience on the highways simply do not support Ford’s decision. Our tires on the road today are safe, and we do not intend to participate in Ford’s unnecessary and deceptively motivated action.

Ford has claimed that Wilderness AT tires have higher rates of tread separation than competitive tires. Ford would not share with us complete test data or actual claims data on competitors’ tires. The data Ford did share with us shows that Ford used grossly unscientific procedures in its testing. As a result, we have done our own testing that I will summarize for you.

First, we tested “peel force,” the amount of force needed to tear the two steel belts from a tire. We compared our tire with three major competitors’ tires that have also been fitted to the Ford Explorer either as original equipment or a replacement tire. As this chart (#1) shows, our tires out-performed two of the three competitors’ tires in this test. The results were similar when we subjected the tires to high temperatures to simulate hot climate driving. (Chart #2)

Second, we conducted SAE high speed tests in which tires are intentionally run to the point of failure on a machine that pushes tires beyond their limits. Once again, the Wilderness AT outperformed several rivals and performed well within industry norms. (Chart #3)

Third, we performed vehicle tests where our tires were run on a test track mounted on a range of compact SUVs. With this test we measured the belt-edge temperature of each tire on each vehicle after identical test cycles. (Chart #4) This test clearly shows that our tires were most heavily loaded on the Explorer. Additionally, other tests were performed on the 1997 Ford Explorer with a variety of competitor tires. The belt edge temperatures were measured and clearly show that damaging temperature increases at lower inflation pressures were greatest on the Explorer (Chart #5). These tests again revealed that the Wilderness AT is an excellent performer, better than many rival products, and well within industry norms. But these tests also further suggest an Explorer issue.

In contrast, Ford’s “rig” testing is grossly unscientific and must be disregarded. First, to test our tires, Ford used aged spare tires compared with new tires from our competitors. Indeed, some of the Firestone tires tested were nine years old. It is well known that tires naturally degrade over time, regardless of whether they are used on vehicles. The rubber in tires begins to degrade as soon as it leaves the plant. When you factor out the old Firestone tires that Ford tested, and just com-
pare our new tires with the competitors’ new tires, even Ford’s results show that our tires are as good as the competition! Second, Ford used surface temperature testing as opposed to internal temperature testing, the latter of which is needed to detect thermal conditions related to belt separation. No respected organization measures the surface temperature of tires to determine the likelihood of belt separation. Given these examples, it is no surprise that Ford refused to share all of its data with Firestone.

Now let’s look at real world performance. A comparison of Wilderness AT performance tires fitted on the Explorer and other vehicles shows that tread separations with our tire happen disproportionately on the Explorer. We sold the same tires to Ford, designed and built to the identical specifications, for both the Explorer and the Ranger pickup truck. Claims for tread separation on the Explorer were as much as eight times greater in number than on the Ranger. (Chart #6)

These results are for the same tires on two different Ford vehicles. In fact, at the time of shipment, we do not know which of our individual tires sent to Ford are to be mounted on which vehicle. The fact that the very same tire performs so differently on these two vehicles is proof positive that there is something at work here other than a tire issue. Again, it is no wonder why Ford refused to give us production data for the Ranger for nearly six months. As soon as we received the required data from Ford this spring, the data convinced us that something about the Explorer must account for the high number of tire failures and subsequent rollover accidents.

Real world claims data provide further evidence of the Explorer’s extraordinary history of tread separation claims. For example, our ATX tires sold as original equipment on the Explorer were also sold as replacement tires for a broad range of similar vehicles from other manufacturers. Over seven years, there were six times as many tread separation claims for the Ford Explorer, within the replacement tire population that included other vehicles, than there were for other vehicles (claims per 100,000 tires). (Chart #7) Again, the very same tire failed at a greatly higher rate on the Explorer.

Ford also claims that its successful experience with Goodyear tires on the Explorer proves the need for its further recall of Wilderness tires. Once again, Ford has misused data to produce a conclusion that supports its false statements. For example, it directly compares Firestone and Goodyear claims without mentioning that a greater number of Firestone-equipped Explorers were shipped to hot weather states where the tires were pushed to extremes and tread separation occurred. (Chart #8) Ford states that there were only two claims for tread separation on Goodyear tires. News reports alone tell us there have been at least 13 incidents involving tread separations of Goodyear and other manufacturers’ tires followed by Explorer rollover crashes. But we don’t have to rely on news reports alone. Ford’s own internal document—identified as Document 54 in last fall’s hearing—states that Ford knew of the possibility of at least 10 tread separations on Goodyear tires (Attachment 1) and physical evidence of these separations is readily available (Attachment 2). In fact, while Ford would have you believe that tread separations are proof of defect, and that only Firestone tires experience tread separations, the reality is quite different. (Attachments 3 and 3A) All tire manufacturers, including Goodyear, acknowledge that tires are not indestructible, that tread separations are the most common form of a tire disablement and that a tread separation is not evidence of a defect.

Ford has also attempted to cloud the issue of the durability of our tires by making unsubstantiated allegations regarding construction. But again, whether is the thickness of the wedge material at the belt edge (Chart #9) or claims about our materials, the data shows our tires are as good or better than the competition.

Ford’s comparison of Firestone to Goodyear is further flawed by the inclusion of claims associated with the 6.5 million tires recalled by Firestone last year. Ford’s use of claims on those tires to characterize tires on the road today is patently false and misleading.

The rationale and data put forward by Ford to explain its current recall of Wilderness AT tires is unsupported by test data, by real world experience, and by Ford’s own statements about the tires. Ford’s selective use of data, biased test procedures and contradictory statements show that its recall is at best a poorly documented public relations exercise designed to protect the image of a profitable product that represents approximately 1/3 of every profit dollar—the Explorer. I am deeply concerned that this campaign at Ford is also an attempt to scapegoat our tires by falsely alarming consumers about their safety. In the process, Ford may be hiding from consumers, regulators, and Congress some very real safety problems of their vehicle which should be addressed honestly and seriously.

Mr. Chairman, the extensive testing data and the voluminous record of real world performance of our tires shows that they are safe. There is no need for a recall of
those tires. However, there is a need for industry and government to work together honestly to continue to improve safety for the motoring public.

IV. THE VEHICLE

The tire and the vehicle must be regarded as a system. We have consistently urged Congress, the NHTSA, and Ford to look at this phenomenon in a balanced way—that is, to look at both the tire and the vehicle. Indeed, on October 23, 2000, I wrote Mr. Nasser a letter asking his support for a joint investigation into both the tire and the vehicle. However, Ford has refused to work with us to examine the vehicle and tire as a system. They have steadfastly urged Congress, the NHTSA, and the American public to consider this strictly a tire issue and not a vehicle issue.

We have had a growing and ultimately overwhelming conviction that tire design and manufacturing issues alone simply cannot account for what has been happening with the Explorer. There is no doubt that tire failures have become relatively rare in the past few decades. Still, cars and trucks are equipped with spare tires, jacks and lug wrenches precisely because when a tire fails, for whatever reason, auto manufacturers contemplate you will be alive to change your tire when you need to. We must ask ourselves why are tire failures on the Ford Explorer all too often not a benign event, but often a catastrophic one? Why is it that, if a rear tire separates on an Explorer, the driver often loses control and crashes? We couldn’t help but think that this should not be happening; a driver should be able to pull over, not roll over.

Since Ford was unwilling to participate in a joint analysis of its product, we were forced to conduct our own research into the role of the vehicle. A survey of what we have learned about the vehicle is found at Attachment 4 (Analysis of the Ford Explorer). Our root cause analysis made clear that vehicle weight and low inflation pressure are very significant factors that can lead to tread separations. The Explorer is a heavy vehicle and Ford recommended the bare minimum inflation pressure of 26 PSI. In short, Ford designed the Explorer with minimal reserve load.

As part of our root cause analysis, we learned that, in fact, in 1995, Ford increased the weight of some models of the Model Year 1996 Explorer by over 600 pounds from the initial weight when the Explorer was first introduced. (Charts #10 and #11) In this respect, it is no surprise that the 1996 Explorer is the vehicle that appears most often in the claims and lawsuits alleging a tread separation. As everyone now knows, tires can lose as much as 1 psi per month. Ford’s recommendation of a 26 PSI inflation pressure diminished the load reserve of the Explorer and its tires to an unacceptable level (Chart #12). Our analysis shows that the tire inflation safety factor for the Explorer is far below that of other popular SUVs we examined. Given the combination of a heavy vehicle with minimal inflation pressure, it stands to reason that the tire failure rate on the Explorer would be higher than other SUVs. This is exactly what the data shows. As I stated above, the Wilderness AT tires that Ford is replacing are performing well. The relatively few claims that exist stem almost exclusively from tires fitted on Ford Explorers. Based on these facts, it is apparent that there are vehicle issues at work here.

Moreover, when a tread does separate from a tire, the separation itself ordinarily does not have a catastrophic effect on the vehicle. There is no explosion or impact that radically upsets the attitude or direction of the vehicle. Engineers think of tread separation in three phases, pre-separation, separation, and post-separation. In pre-separation, the tire becomes out-of-round due to the tread beginning to detach. The irregular shape of the tire creates a vibration in the vehicle, warning the driver that a tire failure is occurring. This ordinarily signals a driver to reduce power and beginning pulling off the road.

The separation event itself often creates a loud noise, as the tread flaps against the vehicle’s bodywork before becoming entirely detached. Despite the noise, forces imparted to the vehicle are minimal. The tire casing is normally intact and remains inflated. The driver should be able to maintain control of the vehicle with very slight steering inputs. Carr Engineering, who performed tread separation tests for Ford, compared these steering inputs to those made to correct for wind gusts or when encountering water puddles on the highway. The overwhelming scientific literature agrees with Carr Engineering on this point.

In the post-separation phase, the vehicle is continuing on the roadway with three intact tires and one tire, which, while still inflated and supporting the vehicle’s weight, lacks its tread. Normally, nothing catastrophic occurs here, and the driver is easily able to maintain control.

The real world data shows that with the Explorer, the occupants are at much greater risk than in comparable SUVs. An analysis of the Florida Traffic Crash Database for Explorer Model Years 1994-2000 shows that in a single-vehicle, tire-
related highway accident, the Explorer rolls over at nearly four times the rate of other comparable SUVs. The rate of fatalities in single vehicle highway incidents is nearly twice that of other comparable SUVs. (Charts #13 and #14) Still additional analysis of the Florida data shows that the Explorer rolls over at nearly twice the rate of all other mid-size SUVs in a single-vehicle, non-tire-related highway accidents (Chart #15). A summary of this information is contained in “Florida Crash, Rollover, and Fatal Accident Rates Based on Vehicle Registrations” at Attachment 5. These analyses clearly suggest that there is a vehicle issue at work here.

Ford’s own engineering documents show that Ford was acutely aware, as early as 1981, of the critical handling requirements for sport utility vehicles such as the Explorer. Ford’s experience with the rollover-prone Bronco II, the Explorer’s predecessor, proved that special attention must be given to SUV handling to avoid rollovers. Ford recognized that keeping the vehicle axis parallel to the direction of travel is essential to reducing rollover accidents. Any design that allows an SUV to turn sideways to the direction of travel would greatly increase the chance for a rollover. This could be avoided by giving the driver safe handling qualities that maximize the chances of maintaining directional control.

Automotive engineers, including Ford’s, intentionally incorporate a handling property called “understeer” in their vehicle design to help drivers maintain directional control. Understeer is a forgiving, predictable, handling characteristic and its effect is to provide predictable, progressive response to steering inputs. To turn the vehicle harder, or at a higher rate of lateral acceleration, the driver need only turn the wheel farther.

The opposite of understeer is oversteer. When engineers say a vehicle is oversteering they are talking about a circumstance where the rear wheels are not tracking the front wheels and the back end of the vehicle swings around. Engineers describe an oversteer vehicle as directionally unstable. Trying to steer a directionally unstable vehicle characteristically causes it to spinout. That is a perilous position for a vehicle with a rollover tendency.

We have studied internal Ford engineering analyses of Explorer handling made throughout the vehicle’s design and development. (Attachment 6) Many compromises were made to give the truck-based Explorer a softer, car-like ride, and these compromises may have also had the undesirable effect of reducing understeer and increasing significantly the amount of oversteer in the Explorer after a tire problem. The shift from understeer to a significant oversteer could cause drivers to lose control of Explorers following tread separations. The analysis of Dr. Dennis Guenther, a renowned vehicle dynamics engineer at Ohio State University who was hired by Firestone’s defense counsel in October 2000, proves that this is often what happens to Explorers.

In the course of Dr. Guenther’s work, it became clear that an analysis of the Explorer’s handling dynamics in tread separations would help us understand why all of these accidents were occurring. In May 2001, at Firestone’s request, Dr. Guenther began a series of tests of SUV handling at the Transportation Research Center (TRC) in East Liberty, Ohio. The tests were designed to examine the controllability of the Explorer and that of comparable SUVs, following a tread separation. The tests conducted to date evaluated 1996 4x2, four-door Explorer handling compared with that of the popular Jeep Cherokee and the Chevrolet Blazer. The tests that were conducted are universally recognized, standard tests used by automobile manufacturers, including Ford. A detailed description of the tests and their results is found at Attachment 7.

The results of these tests were both enlightening and deeply disturbing. Dr. Guenther determined that with a tread separation of a rear tire, the Explorer becomes an oversteering vehicle in most situations, while the other tested SUV’s maintain a safe reserve of understeer. The driver of an Explorer with four intact tires has the benefit of a small margin of understeer to provide predictable handling. When that same driver experiences an otherwise benign tread separation event, he must maintain control of a vehicle whose handling characteristics have suddenly and profoundly changed. As noted previously, the rear end of the now-oversteering vehicle has a tendency to swing toward the outside of a turn, and the driver may be completely unprepared to react appropriately. This chain-of-events typically results in a spinout, which is a perilous position for a vehicle, like the Explorer, with a rollover tendency.

The other SUVs tested by Dr. Guenther never became oversteer vehicles. Tread separation reduced the understeer of these vehicles somewhat, but there was still a significant reserve to maintain predictable handling. The differences measured are substantial. For example, the Cherokee with a separated rear tire still has more understeer than an Explorer with four good tires. (Charts #16 and #17)
As I explained, the findings of Dr. Guenther concerning the handling deficiencies of the Explorer are supported by the real world data. If we need any further proof that the Explorer’s handling should be evaluated, we need look no further than Venezuela. Plagued with reports of rollover crashes in that country, Ford engineers in 1999 questioned why only their vehicles “suffer accidents” while other Firestone-shod SUVs did not. Ford, in an effort to stem the accidents, offered to sell consumers suspension upgrades to improve stability, and later replaced all Firestone tires with other brands. Even so, since May 2000, there have been 43 judicially confirmed Explorer rollover crashes in Venezuela—all of them on competitor’s tires.

(Chart #18) In the last 10 days alone, four people in Venezuela have died in Ford Explorer rollover accidents. The two vehicles involved in these accidents were equipped with competing tire brands. The Venezuelan Consumer protection agency has contemplated having the Explorer banned from the country.

Last fall Firestone was roundly criticized by this Committee for not acting when faced with data coming out of Venezuela and other countries. Indeed, at this Committee’s urging, Congress passed the TREAD Act largely in response to that very situation. Shame on us now if, just a few months later, we ignore new data coming out of Venezuela and do not adequately investigate the Explorer. Perhaps Ford will be more responsive to requests from this Committee for accident and claims data relating to the Venezuelan Explorer rollovers—they have steadfastly refused to give that information to Bridgestone/Firestone.

As the Committee is aware, we took the initial findings of Dr. Guenther’s research to the NHTSA as soon as the tests were complete. On May 31, 2001, I met with Transportation Secretary Norman Mineta and Acting NHTSA Administrator Robert Shelton to discuss these findings. I discussed with the NHTSA the need for a thorough investigation of the Ford Explorer. We did this, not because we are having a feud with Ford Motor Company. We acted because of our overriding concern for safety. We believe that to truly protect the public, safety investigations must identify and evaluate all of the factors that contribute to accidents.

V. CONCLUSION

To date, the Federal Government has focused almost solely on the tire, and we accept that scrutiny of our products. But the data and Dr. Guenther’s report show that the problem is not nearly so simple. There are critical aspects of vehicle handling that contribute powerfully to the risk of rollover crashes following tread separations.

For the Committee’s consideration in reviewing this matter, we have attached additional relevant data and information at Attachment 8. We are not asking the NHTSA or Congress to make a conclusive judgement based on our ongoing study. We are asking that the NHTSA view this study as proof that there are vehicle issues at work here. These vehicle issues call out for scrutiny.

I want to again commend the Committee and staff for its hard work and persistence in investigating the causes of these rollover accidents. The public has a right to a thorough analysis of this problem with the full cooperation of affected companies. We have an obligation to provide that cooperation even when, and especially when, it might disclose problems with our products. Your oversight will help to assure that this occurs.

The timing of today’s hearing, at the beginning of the summer driving season, provides us with an important opportunity to educate the driving public about how they can assure safe highway travel. Let me conclude by providing two recommendations from Firestone:

First, do think about your tires, whatever brand they are. Make sure they are always properly inflated. And ask your tire dealer to examine them for damage if you have any doubts.

Second, avoid overloading your vehicle, as this can both upset its handling and exceed the capacity of its tires. Again, the vehicle manufacturer’s recommendations should be followed carefully.

Thank you again for inviting me to appear. I look forward to answering your questions.

ANALYSIS OF THE FORD EXPLORER

I. EXECUTIVE SUMMARY AND INTRODUCTION

The purpose of this analysis is to address the myth with respect to the Ford Explorer that rollover crashes that occur following a tread separation are attributable in any way to tire design or tire manufacturing. In fact, as the data presented in
this analysis conclusively demonstrate, tire issues can not account for the high risk and rate of Ford Explorer rollover crashes. This analysis concludes that, based on the design and development of the Explorer, real world data on Explorer control problems, an engineering analysis of the Explorer, and the substance of Ford’s own presentation to NHTSA concerning Explorer vehicle dynamics, the rollover problem is rooted in the Explorer, not tires.

A. Design and Development

For 20 years Ford engineers have known that so-called “understeer” is the primary vehicle design factor that prevents vehicle rollover and that an “oversteering” vehicle can and likely will result in loss of control that foreseeably could lead to a rollover and other accidents. In fact, Ford engineers recommended to management major changes to the suspension, engine height and track width of the Explorer to increase understeer in all conditions and to increased Explorer rollover resistance. Ford management ignored or rejected these recommendations.

Instead, Ford decided to create a public relations “image” for the Explorer as a safe vehicle. The Company manipulated the rollout of the Explorer, including its design and testing, solely to get the new vehicle to “look” or “seem” like it was stable, and regardless of the effect such manipulations might have on controllability. By putting profits and public relations image in front of sound engineering principles, Ford caused two catastrophic consequences. First, Ford reduced the margin of safety for tires that it specified to Firestone, causing the rare but now highly publicized phenomenon of tread separations on Explorers. Second, because of the vehicle’s design, the Explorer, following a tread separation, immediately transitions to an oversteer truck that is likely to go out of control and roll over. Ford’s flawed decisions are confirmed by real world data.

B. Real World Data

As the following data suggest, the Explorer rollover problem is not a case of a “bad tire,” but of a vehicle control problem:

1) Wilderness AT 15" tires provided to General Motors and not recalled last year have only 2 tread separation claims on 3.1 million tires.

2) The non-recalled Wilderness AT 15" tires have a tread separation claims rate eight times higher on the Explorer than on the Ford Ranger. The tires on each are exactly the same.

3) The total number of tread separation claims and lawsuits for the 13 million tires Ford is replacing is 118, less than 10 parts per million or 0.0009%, which provides no rationale, other than a suspect one, for Ford’s $3 billion replacement campaign.

4) Based on the Florida Traffic Crash Database, the odds of an Explorer rolling over in a single-vehicle highway tire-related incident are 4.35 compared to 1.92 odds for comparable SUVs. The odds ratio of a fatality occurring in such an accident is nearly three times greater with the Explorer according to Florida data, and four times greater according to Texas data.

This data proves that the Explorer, in single vehicle, tire related highway incidents simply does not perform as safely as its competitors, which is confirmed and explained by the recent engineering analysis conducted by Dr. Dennis A. Guenther.

C. Engineering Analysis

According to a recent engineering analysis conducted by Dr. Dennis A. Guenther, a Professor of Mechanical Engineering at Ohio State University, the Explorer is often an oversteer vehicle after it experiences tread separation, which makes the Explorer vehicle directionally unstable and subject to loss of control in the hands of most drivers. Dr. Guenther’s analysis found that:

1) Explorer models he has tested, as designed, have a significantly lower amount of understeer—less than half as much—than the other SUVs he evaluated.

2) The Explorer loses much of its small margin of understeer when it is loaded to gross vehicle weight rating—the other SUVs do not.

3) The Explorer models tested, unlike other SUVs tested, lose all of their understeer and become oversteer vehicles in most circumstances following tread separation on a left rear tire, the predominant tire position in Explorer tread separation crashes the other SUVs do not.

4) An oversteer vehicle is extremely difficult for most drivers to control, particularly at interstate highway speeds where it can become directionally unstable.

Dr. Guenther concludes that the oversteer problem in the Explorer should be reported as a safety defect within the meaning of the National Highway Traffic and Motor Vehicle Safety Act. Ford Explorer rollover phenomenon is the result of a vehi-
D. Misleading Ford Filing to NHTSA

Ford’s March 2001 filing with the NHTSA concerning the Explorer’s loss of control following a tread separation contains inaccuracies and misinformation that reinforces Ford’s irresponsible reaction to the rollover problem, as the following component of that filing suggests.

Ford suggested in its filing to the NHTSA that tread separation is a “fundamental cause” of loss of vehicle control that “overwhelms differences in design among vehicle claims or within vehicle classes,” and that, in this setting, “Explorers perform like all other vehicles.” Ford based that statement, however, on a so-called high lateral acceleration maneuver, where most drivers do not operate their vehicles. In fact, the maneuver most often used to correct for the small event of drag following a tread separation or in bringing a vehicle to the shoulder is a very small steer input resulting in a so-called low lateral acceleration maneuver, even at highway speeds. In such a normal driving maneuver, Explorers do not perform like other vehicles, since they lack the necessary margin of understeer to remain directionally controllable in highway maneuvers involved in normal driving.

E. Conclusion

Taken together, these factors provide disturbing evidence that Ford, when given the opportunity to act responsibly to ensure the safety and stability of the Explorer, has acted instead to shift blame and obfuscate the facts concerning the safety of its best selling vehicle. As the following analysis confirms, the rollover phenomenon is a vehicle problem that requires forthright and responsible investigation.

II. DESIGN AND DEVELOPMENT OF THE EXPLORER

A. Introduction

Ford engineers have known for over 20 years that the most important vehicle characteristic in maintaining control and reducing SUV propensity for rollover is understeer. The company’s engineering documents identify understeer as a “first order effect” and the “primary factor influencing roll-over propensity.”¹ The problem with an oversteering vehicle, in terms of rollover propensity, is that it can and likely will result in the back end of the vehicle coming around—a loss of control—with the vehicle ending up sideways to its path of travel. The resultant side forces (“lateral acceleration” in engineering terms) are what bring about rollover.² Ford also recognized that the rollover stability of a vehicle is affected by its stability index, the relationship of center of gravity height and the track width of the vehicle. In light of these vehicle control and stability principles, Ford engineers adopted a “handling strategy” with respect to the Explorer to “increase understeer in all conditions,”³ and they recommended to Ford management major changes to the suspension, reduction in the engine height to lower center of gravity, and increase in the track width of the vehicle to make the Explorer more resistant to rollover than the Bronco II.⁴ Ford’s knowledge of the critical importance of understeer was not acted upon, however, and Ford management rejected the center of gravity and track width recommendations of its engineers that would have made the Explorer more resistant to rollover.

Rather than doing what good engineering required to make the Explorer safe, with an acceptable margin of control Ford decided on a course of creating a public relations “image” for the Explorer as a safe vehicle. It did this by making a vehicle that could pass so-called “J-Turn” and “Consumer Union” lane change tests, even though it knew and took the position internally that the maneuvers in those tests were “not representative of what is happening in the real world.”⁵ It also decided to rely on the less aggressive driving habits of members of the family car market into which it sold the Explorer to give the vehicle a statistics-based “image” of rollover safety in spite of the stability shortcomings of the vehicle.⁶

Unfortunately for Firestone’s reputation, Ford carried out the design tradeoffs and manipulations required for the public relations image it sought primarily by letting air out of the Explorer’s tires. In a 1989 Development Report on “Suspension Devel-

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² Ford engineering document EXP3 1107, “Subject: UN46 Handling/Stability Status.”
³ Ford engineering document EXP4 1581-84, “Proposed UN-46 Chassis Design Modifications.”
⁴ Ford document EXPI 0622, email from White to Houston, September 11, 1989.
opment Status," after noting that they had investigated variations in tire pressure “as means to achieving the UN46 [Explorer] ride and handling objective,” Ford engineers recommended use of “reductions in tire pressure to meet the program objectives” for both ride and handling.7

Similarly, in addressing rollover stability, Ford engineers adopted a “strategy” of limiting cornering capacity of the large tires demanded by the Ford marketing department by, again, reducing air pressure.8

When it came to creating understeer, the Ford engineers again turned to lower tire pressure.9

By putting profits and public relations image in front of sound engineering principles, Ford caused two catastrophic consequences. First, Ford reduced the margin of safety for the tires that it specified to Firestone, contributing to the rare but now highly publicized phenomenon of tread separations on Explorers. Second, because of the vehicle’s design, the Explorer, following a rear tire tread separation, immediately transitions to an oversteer truck that is likely to go out of control and roll over in the hands of the ordinary driver.

B. Development of the Explorer

1. Initial Design Flaws Based on Bronco II and Tire Manipulations—Ford’s internal documents describe the Explorer as a new and freshened Bronco II. Ford initially intended to continue using the Bronco II name, but decided to change the name to Explorer when the Bronco II came under fire for rollover problems and Ford sought to distance itself from criticisms of the Bronco II.10

As early as 1986, Ford engineers started playing with tire sizes to address rollover stability, rather than making more fundamental changes in their vehicles. Ford engineers labeled the P195 tires as the “base tire” on the Bronco II to achieve a satisfactory “stability index” because the Bronco II with P215 tires, which it sold as an option tire on the Bronco II, could not pass Ford’s rollover stability tests.11 One Ford engineer questioned this approach: “Shouldn’t we be looking at more permanent ways of improving the stability index of Bronco II other than small tires?”12 Another Ford engineering document explained that the company chose to play with tire size rather than spend the time and money to create a truly safer vehicle:

Stability index requirements are always tied to base vehicle (this decision was reached with help of OGC [Office of the General Counsel]). Since the P215 pushes the stability index below the accepted minimum of 2.1, the suspension guys felt they need to retain a tire that has the minimum S.I. Better alternatives to tire size are for example
—lowering vehicle
—lowering CG by adding weight low in vehicle

Cost and timing implications of these kind of actions have always stalled them in their tracks to White.13

In designing the Explorer, Ford stuck with the basic Bronco II frame and suspension, and utilized the same philosophy of playing with tires to address rollover stability concerns. As a result, the Explorer shared virtually the same track width, high engine mount, obsolete suspension, and elevated center of gravity as its parent vehicle, the Bronco II. “[G]iven the fundamental constraints imposed by the vehicle package and suspension type” carried over from the Bronco II, Ford struggled to reduce the Explorer’s rollover propensity;14 most of Ford’s struggles involved specifying the tires rather than changing the vehicle.

2. Explorer Testing—Unrealistic Measure of Vehicle Safety—Ford required that the Explorer pass “J-Turn tests,” an unrealistic maneuver invented by the Insurance Institute for Highway Safety in the early 1980s, before being released for production.15 A “J-Turn test” is an extreme turn at a given rate speed (usually 45 or 60 mph), and an evaluation of whether the vehicle’s tires lift off the ground. In addition, while not a formal requirement, the Consumer Union’s lane-change rollover

8 See, e.g., Ford engineering document EXP4 1273-74, “Subject: UN46 status.”
9 See, e.g., Ford engineering document EXP4 0193, “UN46 Analysis.” See also Id.
10 See, e.g., Ford media relations document EXP4 1280-84, “Explorer Q&A.”
11 See Ford document 000012766-67, memorandum from Snodgrass to Bacigalupi and Vought, September 5, 1986. See also note 8.
12 See Ford document 000012765, memorandum from Bacigalupi to Snodgrass, September 5, 1986.
13 Ford engineering document 000012765, memorandum from Bacigalupi to White, October 6, 1986.
14 See note 6.
15 Id.
stability test “became an implicit requirement for the Explorer due to the potential for adverse publicity” if it failed.16

Because of these image and litigation-driven requirements, the development of the Explorer turned into a story of tweaking the vehicle and the tires in an attempt to pass these tests, while at the same time providing a softer ride acceptable to Ford’s target marketing group—families. Even though Ford’s internal documents had identified understeer as the most important vehicle handling characteristic in maintaining directional control and reducing rollover exposure,17 the design trade-offs made by Ford to pass J-Turn and Consumer Union tests did not address or seek to increase understeer and the degradation they caused in the vehicles control characteristics.

In late 1988, more than a year before the Explorer’s spring 1990 introduction, computer modeling showed that “the vehicle still has 2 wheel lift no matter what tire is on it, 225/70, 215/75 or 205/75.”18 In February 1989, the computer simulation continued to show unacceptable rollover performance with certain P245 and P225 tires.19 The result remained poor in computer simulations after lowering the rear of the vehicle by one-half inch with 26 psi in the tires.20

Undeterred by these results, Ford management concluded in late February 1989 that with 26 psi in the P235 and P245 tires, and tweaks to the suspension, stabilizer bar and a one-half inch reduction in rear ride height, the Explorer would meet its handling objectives.21

Ford then tried every trick in the book to get the vehicle to pass the J-turn test, including in one March 1989 simulation placing all four test dummies on the vehicle’s floor to lower the vehicle’s center of gravity. The Explorer still failed the test.22

Later in March 1989, the Explorer failed J-Turn tests with a variety of tire pressure and suspension configurations.23 At one point, it was proposed that if the marketing implications were not too great, the P225 tire be the largest tire allowed on the vehicle by one-half inch with 26 psi in the tires.20

Thus, Ford cynically manipulated not only the design of the Explorer, but also the testing, solely to get the new Explorer to “look” or “seem” like it was stable, regardless of whether it really was or not and regardless of the effect such manipulations might have the margin of safe controllability.

3. Manipulative Marketing—Ford not only manipulated the design of the Explorer to make the vehicle seem like it was rollover resistant but also to make it seem to the consumer something it was not—a passenger car.24 The Explorer is in fact a “Light Truck” derived from the Bronco II and Ranger trucks, not a passenger car. Nevertheless, driven by its intense marketing determination to get suburban “soccer moms” to buy and drive the vehicle, Ford imposed upon the vehicle design a passenger-car-like ride.25 Ford accomplished this by, among other things, softening the suspension, using a P-metric (passenger car) tire, and taking air out of the tires.26

Knowing that this passenger-car-like vehicle would be just as likely to roll over as the Bronco II, Ford intentionally designed excessive body roll into it to act as a de-
terrent to the driver against making sharp turns that might result in rollover.\textsuperscript{30} This change was made even though the relatively low damping of body roll adversely affects controllability of the Explorer. This change, coupled with Ford's other design tradeoffs intended to provide a vehicle more resistant to rollover allegations rather than to improve safety, ultimately resulted in the sacrifice of the amount of understeer and other contributions to a proper formation of controllability necessary to provide reasonable consumer safety in foreseeable tire failure circumstances.

4. Flawed Tire Decisions—In the fall of 1989, an engineer warned that the Office of the General Counsel of Ford was "arming themselves for one more attempt to . . . restrict [the Explorer] to P225 tires."\textsuperscript{31} Obviously, the attempt by the lawyers to address a safety issue failed. Ford sold the Explorer with optional P235 tires.

Ford engineering documents summarize the Explorer's twisted development history by conceding failure:

The 1990 Explorer has been designed to achieve the best possible handling stability given the fundamental constraints imposed by the vehicle package and suspension "type."\textsuperscript{32} To achieve the stated (stability) values, the Explorer has been lowered to the maximum extent possible. The relatively high engine position of the Explorer, unchanged from Bronco II, prevents further significant improvement in Stability Index without extensive suspension, frame and sheetmetal revisions.\textsuperscript{33} Ford recognized that the Explorer, particularly the 2-door with P235 tires likely would fail the Consumer Union test.\textsuperscript{34} With all of Ford's design manipulations to achieve the appearance of rollover stability, the Explorer nevertheless remained an unstable vehicle when it was sold to the public beginning in 1990. Both computer simulations and Ford's actual testing in 1989 showed that the 2-door Explorer with P235 tires was as unstable as the highly criticized Bronco II, and the 4-door was only slightly better.\textsuperscript{35} When Ford engineers recommended major changes to the front suspension, steering system, and rollover stability dimensions in order to make the vehicle as resistant to rollover as they knew it needed to be, management rejected the proposals because they would interfere with "Job 1." Internally, "Job 1" at Ford meant meeting the March 1990 initial production date.\textsuperscript{36} Ford reasoned that even though it did not make needed fundamental changes to the Explorer in development, it would still perform better than the Bronco II in rollover statistics because of the longer wheelbase and increased understeer (largely from reduced tire pressure) and more conservative drivers. "With the high (80/20) mix of 4dr vehicles, we can expect a less aggressive driver profile with a corresponding reduction in all accident statistics."\textsuperscript{37} Ford internal documents show that Ford management blithely "accepted [the] risk" that the Explorer would have a higher rollover risk with the larger P235 tire.\textsuperscript{38} Ford also blithely "accepted the risk" that the vehicle would become uncontrollable in foreseeable circumstances, such as tire failures. As Ford recently admitted to NHTSA,\textsuperscript{39} it simply chose not to test to determine how much tire tread/belt separations could occur with the tires to be used on the Explorer. Contrary to Ford's assertions in the March NHTSA presentation, there was nothing about the Explorer design that was intended to or did ensure vehicle controllability in the event of tread separation.

C. The Weight of the Explorer Further Stresses the Tires

That Ford took air out of the tires to increase the Explorer's rollover stability cannot be reasonably disputed. Nor can it be disputed that weight—i.e., the load placed on tires—is a factor in tire life. Dr. Sanjay Govindjee from the University of California at Berkeley established that vehicle loading is a very significant factor leading to tread belt separations.\textsuperscript{40} It also cannot be disputed that at 26 psi, Ford left a very small leading margin for safety in the tires.
The P235 tire at 26 psi on the Explorer has a margin for safety in terms of weight of about 150 pounds. At 23 psi, that tire on several versions of the Explorer has reached its maximum load at the GAWR of the vehicle. Below 23 psi, the tire would be overloaded. In fact, through 1996, Ford continually added weight to the Explorer. The 1990 4x4 4-door increased from about 5,000 pounds to nearly 5,400 pounds in 1993 to well over 5,600 pounds in 1996. It is no surprise that a significant majority of the claims that Firestone has received is on the heavier Explorers.

In fact, the Explorer has an extremely low tire inflation safety factor relative to other popular SUVs. The bottom line is that Ford placed too much on the tires. It set the specifications for the tires and Firestone met those specifications. But Ford also reduced the tire pressure to the minimum so the inherently unstable Explorer could pass, just barely, internal J-Turn tests, and so the light truck would ride more like a car to attract family drivers. At the same time, Ford designed a heavy (and for that matter, top heavy) vehicle, and then continued to make the vehicle heavier. No wonder that the combination of low or in many cases under inflated tires with heavy loaded vehicles in the hot summer lead to an increase in tread separations.

III. THE REAL WORLD DATA SHOW THE EXPLORER HAS A CONTROL PROBLEM

Not only do Ford’s internal documents show that the Explorer’s designers ignored what they knew about the relationship of understeer and vehicle control, the real world facts support the conclusion that this is not a case of a “bad tire,” as Ford’s Chairman Nasser has asserted, but a vehicle with a control problem:

1. Of the 2.6 million Wilderness AT 15” tires not supplied last year and recalled to General Motors, there are only 2 tread separation claims—less than 1 ppm.
2. The non-recalled Wilderness AT 15” tires supplied to Ford have a tread separation claims rate 8 times higher on the Explorer than on the Ford Ranger. The tires on each vehicle are exactly the same.
3. As of the end of 2000, the total number of tread separation claims and lawsuits for the 13 million tires that Ford is replacing is 118. That is, less than 10 parts per million or 0.0009%. This is incredibly low. Ford’s announcement to replace these tires is itself suspect. No rational automobile company in the world would spend $3 billion to address a “problem” that doesn’t exist.
4. Just a few weeks ago, there was a report of a Ford Explorer accident in Ft. Myers, Fla. According to the report, a BF Goodrich tire on the left rear separated, the driver then lost control, and the vehicle ultimately rolled over, killing the driver. In the newspaper report, the state trooper on the scene stated that a tread separation does not ordinarily mean that you lose control of the vehicle.
5. In Venezuela, there are reports of 43 rollover accidents on Explorers between May 2000 and June of this year. All are Goodyear or other competitor tires. This rate of rollovers has prompted the Venezuelan Consumer Protection Agency to consider that Explorers be banned from the country. In fact, in the last 10 days alone, four people have died in 2 separate Ford Explorer rollovers; both of the accidents were on competitor tires.
6. Finally, the crash data itself shows the stability problems in the Explorer. Based on the Florida Traffic Crash Database, the odds of an Explorer rolling over in a single vehicle highway tire-related incident are 4.35 while the odds of comparable SUVs rolling over in the same accidents are 1.92. The odds ratio of a fatality occurring in such an accident is nearly three times greater with the Explorer. The Explorer did not fair much better in Texas. In such incidents based on the Texas database, the odds ratio of an Explorer rolling over is 1.58 times that of comparable SUVs. The odds ratio of being killed if an individual is in such incident in Texas while in an Explorer is nearly four times that of other comparable SUVs. This data proves that the Explorer in single vehicle, tire related highway incidents simply does not perform up to par with its competitors. The testing performed by Dr. Dennis Guenther show why.

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40 See attached chart.
41 See attached chart.
42 See attached chart.
43 See id.
44 See attached chart.
IV. DR. DENNIS A. GUENTHER’S ENGINEERING ANALYSIS OF THE FORD EXPLORER

A. Summary

This analysis is focused on the loss of control experienced by the Explorer in normal highway driving following a rear tire tread/belt separation (hereinafter “tread separation”).

Loss of control in this circumstance often results in the Explorer leaving the highway and rolling over or spinning into an angle relative to its path of travel on the roadway sufficient to cause rollover, with or without tripping, or other serious accidents. Because loss of control is a precursor to rollovers and other serious accidents, the hypothesis is suggested by common Explorer accident scenarios that the Explorer has a control problem leading to rollover and other crashes in the event of tread separation.

Dr. Guenther has tested that hypothesis and found that:

• the Explorer models he has tested, as designed, have a significantly lower amount of understeer than the other SUVs he has evaluated, less than half as much as the Jeep Cherokee and Chevrolet Blazer;
• the Explorer loses much of its small margin of understeer when it is loaded to gross vehicle weight rating; the Cherokee and the Blazer do not;
• the Explorer models tested, unlike the Cherokee and the Blazer, lose all of their understeer and become oversteer vehicles in most circumstances following tread separation on a left rear tire, the predominant tire position in Explorer tread separation crashes; the only exception in Dr. Guenther’s investigation is a light load configuration in a counter-clockwise turn, with the separated tire mounted on the left rear, a circumstance where the vehicle retains a very small amount of understeer;
• an oversteer vehicle is extremely difficult for most ordinary drivers to control, particularly at interstate highway speeds where it can become directionally unstable;

His conclusion based on these findings is that the Explorer is defectively designed in that it has an inadequate margin of control in the foreseeable circumstance of tread separation during normal highway driving in most load and turning circumstances.

B. Relevant Engineering / Accident Reconstruction Concepts

1. Understeer/Oversteer—The terms “understeer” and “oversteer”, while not particularly descriptive in themselves, are engineering terms that are used to characterize what is one of the most significant control relationships in driving an automobile in the linear range—the amount of steering input necessary to produce an amount of G’s of lateral acceleration, which produces the side force that accomplishes turning of an automobile. It is measured and expressed in degrees of steering wheel input per G of lateral acceleration.

The amount of understeer or oversteer in a vehicle is measured by driving the vehicle in a constant radius circle at an increasing speed and recording the degrees of steer input per G of lateral acceleration. In an understeer vehicle a test driver, in terms of what he perceives and does in that circumstance, must steer toward the center of the circle, with increasing steer input as he increases speed, in order to stay on the path of the constant radius circle; that is the same thing the average driver experiences as he drives around a curve—he must steer to the inside of the curve in order to generate the side force necessary to turn the vehicle and stay on the curving path, and the rear of the vehicle follows the front around the circle.

An oversteer vehicle behaves just the opposite. The test driver would have to steer away from the center of the circle in order to stay on the constant radius circle as his speed increases; he would have to “take steer out” or “reverse steer” in order to keep the car on the path of the circle as he increases speed. Because of this need for steering reversal, final oversteer is generally considered bad.

Automobile manufacturers do not intentionally design an oversteer characteristic into cars intended for ordinary drivers because “a vehicle that oversteers, by design or circumstance, is highly undesirable.” The vehicle dynamics literature is clear that an oversteering vehicle is directionally unstable—generally speaking, “an
understeering vehicle is a directionally stable vehicle" and "an oversteering vehicle is directionally an unstable vehicle."\textsuperscript{50} A vehicle is directionally unstable if steering or disturbances, such as wind, generate forces that cause an ever-increasing vehicle response until it spins out.\textsuperscript{51} Oversteer characteristically results in spinout.\textsuperscript{52} Generally, it is "desirable to have understeer to avoid directional instability."\textsuperscript{53} Ford, like any other automobile manufacturer, tries to build understeer into its cars.\textsuperscript{54} They do this because understeer is essential to safely control an automobile.

Car designers can increase or decrease the amount of understeer in a vehicle by many different means—by adjusting spring rates, suspension geometry, frame stiffness, roll damping, tire properties, tire pressure, weight distribution, and other vehicle and component characteristics. They adjust these and other elements which result in the amount and character of control available. Automobile designers, of course, may adjust these elements for reasons other than achieving or influencing controllability; they may, for example, make such adjustments to seek ride comfort, to achieve a "flat" European cornering feel, to improve rollover resistance, or for other reasons. Each of those trade-offs for such reasons, however, potentially affects the amount of understeer and the amount of control safety margin, and the result is exacerbated by the potentially greater understeer needs of SUVs.

Cars differ from each other in how much control margin, or understeer, they have. How much understeer is necessary to provide a safe margin of control? The answer from an engineering perspective is: The amount necessary to provide predictable vehicle control in foreseeable driving circumstances for the drivers intended for that vehicle.

The foreseeable circumstances of driving include many things—the coefficient of friction of the roadway surface, wind gusts, ice and snow, vehicle load, component wear and failure, the effect of heat and use on the fit and flexibility of suspension system components, and many others. One foreseeable circumstance, of course, is tires wearing out and eventually failing, including tread separation, the most common mode of wearout failure for steel belted radial tires. All of these circumstances can cause an increase in the need for understeer or directly decrease the amount of understeer available in the vehicle. For example, tread separation will change tire properties related to understeer, decreasing cornering stiffness and traction provided by belt and tread.

These are not new considerations for Ford automobile designers. For more than 30 years, the technical literature relating to tire influence on vehicle dynamics has pointed out that in order to avoid oversteer following rear tire failure, "it is desirable to make the car strongly understeer in the original condition."\textsuperscript{55} Tests on the predecessor to the Explorer, the Bronco II, demonstrated that following rear tire tread separation that "vehicle exhibited dramatic oversteer characteristics and was unstable."\textsuperscript{56}

Not only is oversteer an unacceptable vehicle characteristic, but the transition from understeer to oversteer that might occur in the event of loss of tread and tire cornering properties, if sufficient understeer is not originally built into the car, is particularly dangerous. The unexpected reversal of the handling characteristics of the car in that circumstance is just the sort of unexpected event that leads to driving accidents; it is particularly unexpected because "none of the currently manufactured passenger cars show such behavior in ordinary driving."\textsuperscript{57} The ordinary driver has not experienced and cannot anticipate the catastrophic results of this reversal.

One of the car designer's engineering obligations is to quantify the amount of understeer and other vehicle control characteristics required to account and compensate for such varying and foreseeable events, the inevitable changes in driving circumstances. By that quantification he determines the amount of understeer, the margin of control, that must be designed into the car.

\textsuperscript{50} Bergman, "The Basic Nature of Vehicle Understeer-Oversteer" at page 11, col. 1 (1965).
\textsuperscript{51} Id.
\textsuperscript{54} See, e.g., note 1.
\textsuperscript{55} Kondo, et al., "Dynamical Behaviors Of A Car When One Tire Is Punctured Simulatively" at pages 2, 43 (1968).
\textsuperscript{56} See note 49.
\textsuperscript{57} Bergman, "Considerations in Determining Vehicle Handling Requirements" at page 7, col. 1 (1969).
2. Tread Separation

Tread separation is a failure mode usual in steel belted radial tires.58 The majority of Firestone tires incurring a tread separation, without some causally related damage to the tire, are high mileage tires with long use. The causes of this form of failure are heat, loading, oxidation and cyclic stressing, all of which can weaken and result in shearing of the rubber bond between the layers of steel belts, which centrifugal force can then pull apart. This breakdown is an inevitable result of the chemical and physical properties of rubber tires and how they are commonly used.

Those who are unfamiliar with tires or with accident reconstruction tend to describe tread separations or accidents associated with tread separations as if they are explosive events in which the vehicle is thrown out of control by the force of the separation. The scientific literature and testing commissioned by automobile manufacturers and others, however, has repeatedly demonstrated that this is not correct. For example, Carr Engineering, vehicle dynamics experts regularly retained by Ford to testify in automotive litigation, carried out testing on behalf of Ford relating to, among other things, the forces involved in tread separation. Their findings in those tests led them to conclude:

During the tread separation event, the tire did pull the vehicle slightly to one side but the driver kept a straight line path with a small steering correction.

This amplitude of steer angle is small and on the order required to keep a vehicle in the lane on curved highways or in a straight path during other events such as wind gusts or driving through water puddles at highway speeds.59 Other automotive researchers, including plaintiff experts pursuing forensic inquiries, academic researchers, and Firestone, have arrived at the same conclusion based on numerous tests, including tests involving the Explorer and the Firestone tires mounted on it as original equipment. For example:

• “Separation by itself was not sufficient to cause loss of control.” “No induced steering was felt as a result of tread separation.” “Test results by this author corroborate work by Gardner who measured that steering wheel inputs during tread separation are of the order of magnitude of lane change maneuvers during high speed travel.”60
• “Maintaining control of the vehicle after tread/belt separation requires a steering torque similar to that required for a lane change maneuver.” “The results of the testing show that the forces developed during a tread/belt detachment are well within the range of a driver’s ability to control a vehicle.”61
• “Little or no corrective steering action was needed to maintain control of the vehicle during the tread separation events.”62

Descriptions of tread separation related accidents also sometimes fail to accurately capture the sequential nature of those accidents. Engineering analysis and accident reconstruction require that tread separation and accidents associated with them be broken down into their separate parts. For those purposes, the accident events should be viewed as three separate and sequential elements:

a. Pre-separation—This is characterized by vibration felt generally in the vehicle, (see notes 58 and 60) as the tire is deformed from a smooth circle to an irregular “circle” by movement of the tread and belt. This vibration is something most drivers have experienced in connection with a failed tire, whether a puncture blowout or a tread separation or some other mode of tire failure.

The vibration serves as notice that something is wrong with a tire, a message that most drivers understand as requiring them to take their foot off the gas, check the traffic around them, and begin to move to the shoulder of the highway to change the tire.

b. Separation—Testing, (see notes 58,59,60 & 61) establishes that the actual tread separation is a benign event in terms of the amount and duration of forces exerted on the automobile laterally, longitudinally and vertically.

61 Gardner, “The Role of Tread/Belt Detachment In Accident Causation,” at pages 7-8, 10 (1998). [Test vehicles were Ford Explorer, Camry Station Wagon, and Chevy Truck C2500].
c. Post-separation—In the period immediately following tread separation on a rear tire any SUV will lose some understeer because the tire properties contributing to control of the vehicle—cornering stiffness, traction, etc.—will have been reduced because of removal of the tread and one of the steel belts. It is the controllability of the Explorer in this circumstance that Dr. Guenther is investigating.

C. Engineering Evaluation Of Explorer Directional Control

Dr. Guenther was retained by counsel to assist them in the preparation of Firestone’s defense in the personal injury litigation arising out of Explorer crash and rollover accidents. While he made measurements of and inspected various Explorers and engaged in some accident reconstruction at the direction of counsel, he did not undertake the dynamics testing and data analysis underlying his conclusions concerning the controllability of the Explorer until last month.

Firestone had expected that Ford, as part of a root cause analysis, would focus on the vehicle and provide Firestone, NHTSA and the Congress information about the vehicle’s handling in a tread separation event. Ford has 15 years of experience in the design and development of and litigation about the Explorer. They have that information. Firestone requested Ford participation in investigation of the vehicle in October of last year. In spite of repeated follow up requests, Ford made no response to Firestone. It became clear that Dr. Guenther’s engineering evaluation of the Explorer would be important not only in defense of the litigation but in addressing congressional, regulatory and public concerns about automotive safety relating to loss of control and rollover of the Explorer when it experienced tread separation.

1. Testing Conducted—a. Site—The tests were carried out at the Transportation Research Center, Inc. (TRC) test facility near East Liberty, Ohio. The facility is used on a contract basis by numerous automobile manufacturers, component suppliers, and state and national regulatory authorities to conduct automotive safety testing. It was used by NHTSA, for example, in 1997-98 to conduct extensive tests of maneuvers that may induce on-road untripped rollover in various vehicles, including the Ford Explorer. Ford used TRC in development testing of the UN-105, the version of the Explorer offered in 1995 and subsequent years.

b. Study Objectives—The purpose of the testing program, which is ongoing, is to examine the margin of control in the Explorer as designed and, comparatively, in peer SUVs in the circumstance following rear tire tread separation. Due to the complexities and non-linearity of vehicles and the nature of the Explorer accidents, Dr. Guenther chose to explore the linear range as a preliminary investigation. In the linear range, a principal parameter of control is the understeer/oversteer gradient (other parameters such as steering response time and gain, and steering frequency response are also being examined as they may relate to loss of control in the event of tire tread separation).

c. Test Vehicles—The vehicles evaluated are the following:

<table>
<thead>
<tr>
<th>Year</th>
<th>Make/Model</th>
<th>Dr/4x2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Ford Explorer</td>
<td>4 dr 4 x 2</td>
</tr>
<tr>
<td>1996</td>
<td>Chevy Blazer</td>
<td>4 dr 4 x 2</td>
</tr>
<tr>
<td>2001</td>
<td>Jeep Cherokee</td>
<td>4 dr 4 x 2</td>
</tr>
<tr>
<td>2000</td>
<td>Ford Explorer</td>
<td>4 dr 4 x 2</td>
</tr>
</tbody>
</table>

Each vehicle was tested with its original equipment (OE) tires at OEM recommended tire pressure. The 1996 Explorer was tested with both OE Firestone tires and OE Goodyear tires recommended by Ford.

d. Vehicle Instrumentation and Measurement—The data acquired for purposes of this analysis was the following:

- Vehicle Input
  - Steering Wheel Angle
  - Vehicle Speed
- Vehicle Response
  - Lateral Acceleration
  - Yaw Rate
- Body Roll Angle

e. Test Maneuvers—The tests conducted are universally recognized standard tests used by automobile manufacturers, including Ford, and other researchers in vehicle dynamics for establishing the values investigated. The tests are as follows:

  - Step Steer—The vehicle is driven on the test pad area in a straight line at a constant speed. The driver then rapidly turns the steering wheel until it hits a mechanical stop. Steering wheel stops are set to attain a desired lateral acceleration at the test speeds. This steer angle is held until steady-state response is established.

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63 See note 52.
64 See attached exhibit 5.
Tests were run in both directions (right turn/left turn) and at two speeds (60 mph and 40 mph). The test was run both with four good tires and with the left rear tire detreaded by cutting between the steel belts; test runs with the detreaded tire were done only at the slower 40 mph speed. Test runs were done at both light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating).

The test is used to measure vehicle response times as related to lateral acceleration and yaw velocity response, and to measure the gain of these responses in relation to steering wheel input (output divided by input).

**Constant Radius Circle**—The vehicle is driven around a 200 foot constant radius circle with increasing speed. The driver adjusts the steering angle (by turning the steering wheel) as necessary to keep the vehicle on the path of the circle. Test runs were done in both directions, clockwise and counter-clockwise, with four good tires and with the left rear tire detreaded. Test runs were done at light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating). The test is used to measure understeer and oversteer (degrees of road wheel steer per Gs of lateral acceleration).

**Frequency Response**—Sinusoidal sweep steering tests are frequently used to determine the linear response of vehicles. The vehicles in these tests were driven on a long straightaway with the driver steering with slowly increasing frequency up to approximately 3 to 4 hz followed by decreasing frequency. The test was run at a nominal speed of 66 mph.

The test measures lateral acceleration gain, yaw velocity gain, and phase angles at the frequencies tested (up to 3 to 4 hz).

**f. Results of Directional Control Tests**—The results of the constant radius circle tests are set forth in data sheets and charts attached hereto as Exhibit 6. Data reduction and analysis continues with respect to the step steer and frequency response tests.

In summary, the findings in the tests are as follows:

**Constant Radius Circle**—This standard method of measuring understeer/oversteer gradient establishes that the Explorer, with four good tires, has a relatively small amount of understeer compared to other SUVs tested—less than half the amount found in the Blazer and the Cherokee. In fact, the Cherokee has about the same understeer with a detreaded tire as the Explorer with four good tires. These findings are consistent with NHTSA vehicle characterization tests that found that the Explorer had the lowest amount of understeer of the 12 vehicles on which it conducted rollover-inducing maneuver tests.65

The test results show that, unlike the other SUVs tested, the Explorer loses its small margin of understeer when it experiences a tread separation and becomes an oversteer vehicle.

This is true whether the Explorer is operated on Goodyear OE tires recommended by Ford or on Firestone OE tires.

The Explorer’s oversteer characteristic is worse in the loaded condition. The only circumstance in which it does not become oversteer with a detreaded tire is when it is lightly loaded (curb plus driver and instrumentation) and the detreaded tire is on the inside rear position (left rear in a counter-clockwise turn); in test runs in that configuration the Explorer is almost neutral steer with respect to the understeer/oversteer gradient.

An oversteer vehicle is not safe at highway speeds in the hands of an average driver. Sometimes a driver may achieve directional control, sometimes he may not.

In addition to his dynamic testing, Dr. Guenther has carried out several accident reconstructions involving Explorer crashes and reviewed numerous police accident reports concerning such accidents. Explorer rollover accidents, as reflected in those reconstructions and police accident reports, frequently occur

- on interstate or similar high-quality, high-speed roadways, without environmental interference;
- in straight line travel;
- at highway speed
- with no driver impairment
- with no risky behavior
- with rear tire tread separation
- with some apparent effort at driver steering control reflected in change(s) of vehicle heading and path of travel.

65 See note 42.
2. Conclusion

The Explorer is an oversteer vehicle in most circumstances after it experiences tread separation. Oversteer can make a vehicle directionally unstable and subject to loss of control in the hands of most drivers. This is a vehicle problem, not a tire problem. The vehicle performs the same following tread separation on the Goodyear tire as it does the Firestone tire. This must be regarded as a highway safety defect within the meaning of the National Traffic and Motor Vehicle Safety Act.

V. THE FORD “EXPLORER VEHICLE DYNAMICS PRESENTATION” TO NHTSA OF MARCH 28-29, 2001 CONCERNING EXPLORER LOSS OF CONTROL FOLLOWING TREAD SEPARATION IS MISLEADING AND IRRELEVANT

The following statements and charts are examples of the many inaccuracies and irrelevancies contained in the Ford vehicle dynamics presentation to NHTSA:

- Statement at page TH-3 18. Exhibit 7—The statement about tread separation, “This fundamental cause [of loss of control, i.e., decreased tire traction] overwhelms differences in design among vehicle classes or within vehicle classes. Explorers perform like all other vehicles,” is true only with respect to limit maneuvers, that is, at high lateral acceleration where most of us never operate a vehicle, even in most emergency maneuvers. The statement is not relevant or accurate in the linear range of maneuvering, that is, at low lateral accelerations experienced in normal driving (e.g., 0.3 Gs or less). The maneuver involved in correcting for the small amount of drag following a belt separation (similar to a normal lane change steer, according to SAE test literature), or the maneuver involved in bringing the car to the shoulder so that you can change the tire is just such a low lateral acceleration maneuver, even at highway speeds.

In normal everyday driving maneuvers following a tread separation the Explorer does not perform like all other vehicles. In this circumstance, it has a higher likelihood of loss of control because it lacks the necessary margin of understeer to remain directionally controllable in highway maneuvers involved in normal driving. Peer SUVs, such as the Cherokee and Blazer, remain understeer and more controllable in a wider range of maneuvers following tread separation than the Explorer.

- Statement at page TH-3 76. Exhibit 7—This chart purports to show results of various SUV vehicles in a constant radius circle test following a tread separation. It shows all vehicles including the Explorer maneuvering at more than 0.5 G lateral acceleration with a separated tire on the outside rear. That is a physical impossibility in normal highway travel; these vehicles in general and the Explorer in particular cannot generate that much lateral acceleration with a detreaded tire in the outside rear position in normal highway travel. The Explorer will spin out of control before it reaches 0.5 G lateral acceleration in this circumstance. Ford can do it only as a trick on a low speed 100 foot radius circle. It indicates the irrelevant nature of the information presented to NHTSA in its vehicle dynamics presentation.

The suggestion accompanying the chart that “Explorers and peer vehicles oversteer above approximately 0.4G, with tread off of outside rear tire” is not accurate or relevant. The Explorer with a detreaded tire is oversteer in that circumstance at all lower lateral acceleration levels while the Blazer and Cherokee are not. Moreover, it is not relevant to an analysis of highway safety in normal driving because motorists generally do not operate their vehicles at the higher level of lateral acceleration examined by Ford. The assertion is made that “tread separation on O/S rear tire narrows differences among all vehicles (overwhelms design differences)” is, again, not accurate in the linear range; it only applies to limit maneuvers. Following tread separation, the Blazer and Cherokee maintain understeer in the linear range while the Explorer has none and changes completely to oversteer; the Cherokee, in fact, has about as much understeer with a detreaded outside rear tire as the Explorer does with four good tires. Similarly, the statement that “Explorer performance is typical of peer vehicles” is not accurate for linear range operations for the same reason. The Explorer is oversteer in the linear range of lateral acceleration following outside rear tread separation (about 0.3G or less); other SUVs remain understeer in the linear range.

- Statement at page TH-3 87. Exhibit 7—This simulation chart depicts all vehicles as having the same maneuvering limits following a tread separation. Dr. Guenther’s testing at TRC demonstrates the contrary in the linear range and the computer-generated simulation has no basis in fact.

- Statement at page TH-3 132. Exhibit 7—The first and fourth statements on this page are presented without any supporting data of any sort. The Explorer does not “perform similar to others in its class in the event of a tire tread separation”, rather,

it becomes oversteer, an unpredictable, unfamiliar, unsafe handling condition. For that reason, the Explorer does not “have a margin of safety ‘as designed’ to accommodate, to a reasonable level, component failures including tread separations.”

• Statement at page TH-3 134. Exhibit 7—The fourth statement on this page is false. The designers of the Blazer and the Cherokee have in fact provided a margin of control safety following tread separation in the design of those vehicles. They did it more than a decade ago, when the Blazer and the Cherokee were the primary SUV examples available to Ford engineers for comparative analysis when they designed and developed the Explorer.

VI. CONCLUSION

Ford has had over twenty years to adjust the design of the Ford Explorer and to work cooperatively and responsibly with its tire suppliers to ensure the safety and stability of its vehicle. To date, it has failed to do so. The design of the Explorer is an oversteer vehicle in the event of a tread separation. A tread separation is normally a benign event that a driver can control by pulling to the shoulder of any roadway. The flawed design of the Explorer, however, renders the vehicle in a tread separation event susceptible to rollover and therefore potentially lethal. While real world data and an engineering analysis of the vehicle confirm this phenomenon, Ford refuses to accept the facts and take responsibility. The purpose of this analysis is to ensure that these facts are publicly known, and, in the best case, to compel Ford to take responsibility for its flawed attempts to protect its defective product.
Wilderness AT tires perform better than/same as competitors' tires

[Diagram showing performance comparison of different brands of tires]
Wilderness AT tires perform better than/same as competitors' tires

Peel force test @ 150°F; tire size P235/75R15

*Brands tested (in no order): Michelin, Goodyear and General
Ford Explorers have as much as 8 times the claims rate of Ford Rangers for the exact same tires.
Attachment 1

1. PROBLEM DESCRIPTION

   While driving vehicle, the tire would separate from the main impulse of the tire. The tire failure is discovered
   when the driver hears the tire Fraud warranty claim or the tire goes flat.

2. PROBLEM STATISTICS (MAGNITUDE OF CONCERN)

   A. VOQ (Vehicle Owner Questionnaire)

   - VOQ Database shows 2 reported tire separations on 1996 vehicles. Tire size is TBD on one vehicle
     because of no VIN number reported and the second vehicle had the P235 tire.
     - Two (2) additional tire claims that might be tire separation on 1996 vehicles. Tire size is TBD on one
       vehicle because of no VIN number reported and the second vehicle had the P235 tire.

   B. AWS (Analytical Warranty System)

   - Reviewed all 95 / 99 AWS claims (39) for tires with failures.
     Found no reports of tire separations.

   C. CQIS (Common Quality Indicator System)

   - Reviewed all 95 / 99 CQIS reports (197) for tires and wheels.
     Found one (1) report for Firestone tire separation on a 1998 vehicle, but it was the Firestone
     P235/70R15 tire size and not the P235/70R16 tire.

   D. MORS (Master Owners Relation System)

   - Reviewed all 95 / 99 MORS reports (426) for tires and wheels.
     Found 32 "possible" tire separations claims on Firestone (22) and Goodyear (10)

     3 of the 32 possible claims were for the P235/70R15 tire from Firestone
     10 of the 32 possible claims were for the P235/70R15 tire from Goodyear
     18 of the 32 possible claims were for the P235/70R15 tire from Firestone

     Found one (1) possible report for Firestone tire separation on P235/70R16, which sounds like it was
     caused by driving on a flat tire in the tire stow to get air in the tire.

REDACTED

Note: Tire build dates on OCC accident tires has been between 10/25/95 and 2/19/97.
Attachment 3

10/25/2000
Associated Press Newswires

"A tread separation, today the most common form of failure for a commercial tire, is normally the end result of something else that happens to a tire such as hitting a rock or other debris in the road," he said.

10/25/2000
Dow Jones News Service

..."People need to understand that tires are not indestructible. Most commonly, tread separation results because the tire is damaged when it strikes an obstacle in the road, not because of intrinsic flaws."

10/25/2000
AFX News

"All tires can separate. Tread separations do not necessarily indicate a defect in a tire."

"As vehicle owners, you need to understand that tires do fail, and they do separate. They cannot be made indestructible. Tread separation is the most common form of failure for all light commercial tires regardless of who manufacturers them. But tread separation does not necessarily indicate a defect in a tire."
Attachment 3A

10/25/2000
Associated Press Newswires

"A tread separation, today the most common form of failure for a commercial tire, is normally the end result of something else that happens to a tire such as hitting a rock or other debris in the road," he said.

(Joseph M. Gingo, Goodyear senior vice president for technology and global products planning, in response to tread separation questions about Goodyear Wrangler AT and HT tires)

10/25/2000
Dow Jones News Service

"...People need to understand that tires are not indestructible. Most commonly, tread separation results because the tire is damaged when it strikes an obstacle in the road, not because of intrinsic flaws."

(Statement released by Goodyear Tire & Rubber Co. in response to tread separation questions about its Wrangler AT and HT tires)

10/25/2000
AFX News

"All tires can separate. Tread separations do not necessarily indicate a defect in a tire."

(Statement released by Goodyear Tire & Rubber Co. in response tread separation questions about its Wrangler AT and HT tires)

"As vehicle owners, you need to understand that tires do fail, and they do separate. They cannot be made indestructible. Tread separation is the most common form of failure for all light commercial tires regardless of who manufacturers them. But tread separation does not necessarily indicate a defect in a tire."

(Letter to Goodyear customers from John C. Polhemus, President, Goodyear North American Tire, 10/27/2000)
Attachment 4

ANALYSIS OF THE FORD EXPLORER

I. Executive Summary and Introduction

The purpose of this analysis is to address the myth with respect to the Ford Explorer that rollover crashes that occur following a tread separation are attributable in any way to tire design or tire manufacturing. In fact, as the data presented in this analysis conclusively demonstrate, tire issues can not account for the high risk and rate of Ford Explorer rollover crashes. This analysis concludes that, based on the design and development of the Explorer, real world data on Explorer control problems, an engineering analysis of the Explorer, and the substance of Ford’s own presentation to NHTSA concerning Explorer vehicle dynamics, the rollover problem is rooted in the Explorer, not tires.

A. Design and Development

For 20 years Ford engineers have known that so-called “understeer” is the primary vehicle design factor that prevents vehicle rollover and that an “oversteering” vehicle can and likely will result in loss of control that foreseeably could lead to a rollover and other accidents. In fact, Ford engineers recommended to management major changes to the suspension, engine height and track width of the Explorer to increase understeer in all conditions and to increased Explorer rollover resistance. Ford management ignored or rejected these recommendations.

Instead, Ford decided to create a public relations “image” for the Explorer as a safe vehicle. The Company manipulated the rollout of the Explorer, including its design and testing, solely to get the new vehicle to “look” or “seem” like it was stable, and regardless of the effect such manipulations might have on controllability. By putting profits and public relations image in front of sound engineering principles, Ford caused two catastrophic consequences. First, Ford
reduced the margin of safety for tires that it specified to Firestone, causing the rare but now highly publicized phenomenon of tread separations on Explorers. Second, because of the vehicle’s design, the Explorer, following a tread separation, immediately transitions to an oversteer truck that is likely to go out of control and roll over. Ford’s flawed decisions are confirmed by real world data.

B. Real World Data

As the following data suggest, the Explorer rollover problem is not a case of a “bad tire,” but of a vehicle control problem:

1) Wilderness AT 15” tires provided to General Motors and not recalled last year have only 2 tread separation claims on 3.1 million tires.

2) The non-recalled Wilderness AT 15” tires have a tread separation claims rate eight times higher on the Explorer than on the Ford Ranger. The tires on each are exactly the same.

3) The total number of tread separation claims and lawsuits for the 13 million tires Ford is replacing is 118, less than 10 parts per million or 0.0009%, which provides no rationale, other than a suspect one, for Ford’s $3 billion replacement campaign.

4) Based on the Florida Traffic Crash Database, the odds of an Explorer rolling over in a single-vehicle highway tire-related incident are 4.35 compared to 1.92 odds for comparable SUVs. The odds ratio of a fatality occurring in such an accident is nearly three times greater with the Explorer according to Florida data, and four times greater according to Texas data.

This data proves that the Explorer, in single vehicle, tire related highway incidents simply does not perform as safely as its competitors, which is confirmed and explained by the recent engineering analysis conducted by Dr. Dennis A. Guenther.

C. Engineering Analysis

According to a recent engineering analysis conducted by Dr. Dennis A. Guenther, a Professor of Mechanical Engineering at Ohio State University, the Explorer is often an oversteer vehicle after it experiences tread separation, which makes the Explorer vehicle directionally
unstable and subject to loss of control in the hands of most drivers. Dr. Guenther’s analysis found that:

1) Explorer models he has tested, as designed, have a significantly lower amount of understeer – less than half as much – than the other SUVs he evaluated.

2) The Explorer loses much of its small margin of understeer when it is loaded to gross vehicle weight rating – the other SUVs do not.

3) The Explorer models tested, unlike other SUVs tested, lose all of their understeer and become oversteer vehicles in most circumstances following tread separation on a left rear tire, the predominant tire position in Explorer tread separation crashes the other SUVs do not.

4) An oversteer vehicle is extremely difficult for most drivers to control, particularly at interstate highway speeds where it can become directionally unstable.

Dr. Guenther concludes that the oversteer problem in the Explorer should be reported as a safety defect within the meaning of the National Highway Traffic and Motor Vehicle Safety Act. Ford Explorer rollover phenomenon is the result of a vehicle problem not a tire problem, and should be regarded as a safety defect within the meaning of the National Highway Traffic and Motor Vehicle Safety Act.

D. Misleading Ford Filing to NHTSA

Ford’s March 2001 filing with the NHTSA concerning the Explorer’s loss of control following a tread separation contains inaccuracies and misinformation that reinforces Ford’s irresponsible reaction to the rollover problem, as the following component of that filing suggests.

Ford suggested in its filing to the NHTSA that tread separation is a “fundamental cause” of loss of vehicle control that “overwhelms differences in design among vehicle claims or within vehicle classes,” and that, in this setting, “Explorers perform like all other vehicles.” Ford based that statement, however, on a so-called high lateral acceleration maneuver, where most drivers do not operate their vehicles. In fact, the maneuver most often used to correct for the small
event of drag following a tread separation or in bringing a vehicle to the shoulder is a very small
steer input resulting in a so-called low lateral acceleration maneuver, even at highway speeds. In
such a normal driving maneuver, Explorers do not perform like other vehicles, since they lack
the necessary margin of understeer to remain directionally controllable in highway maneuvers
involved in normal driving.

E. Conclusion

Taken together, these factors provide disturbing evidence that Ford, when given the
opportunity to act responsibly to ensure the safety and stability of the Explorer, has acted instead
to shift blame and obfuscate the facts concerning the safety of its best selling vehicle. As the
following analysis confirms, the rollover phenomenon is a vehicle problem that requires
forthright and responsible investigation.

II. Design and Development of the Explorer

A. Introduction

Ford engineers have known for over 20 years that the most important vehicle
characteristic in maintaining control and reducing SUV propensity for rollover is understeer.
The company's engineering documents identify understeer as a "first order effect" and the
"primary factor influencing roll-over propensity."1 The problem with an oversteering vehicle, in
terms of rollover propensity, is that it can and likely will result in the back end of the vehicle
coming around—a loss of control—with the vehicle ending up sideways to its path of travel.
The resultant side forces ("lateral acceleration" in engineering terms) are what bring about
rollover.2

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2 Id.
Ford also recognized that the rollover stability of a vehicle is affected by its stability index, the relationship of center of gravity height and the track width of the vehicle. In light of these vehicle control and stability principles, Ford engineers adopted a "handling strategy" with respect to the Explorer to "increase understeer in all conditions," and they recommended to Ford management major changes to the suspension, reduction in the engine height to lower center of gravity, and increase in the track width of the vehicle to make the Explorer more resistant to rollover than the Bronco II.  

Ford's knowledge of the critical importance of understeer was not acted upon, however, and Ford management rejected the center of gravity and track width recommendations of its engineers that would have made the Explorer more resistant to rollover.

Rather than doing what good engineering required to make the Explorer safe, with an acceptable margin of control Ford decided on a course of creating a public relations "image" for the Explorer as a safe vehicle. It did this by making a vehicle that could pass so-called "J-Turn" and "Consumer Union" lane change tests, even though it knew and took the position internally that the maneuvers in those tests were "not representative of what is happening in the real world." It also decided to rely on the less aggressive driving habits of members of the family car market into which it sold the Explorer to give the vehicle a statistics-based "image" of rollover safety in spite of the stability shortcomings of the vehicle.  

Unfortunately for Firestone's reputation, Ford carried out the design tradeoffs and manipulations required for the public relations image it sought primarily by letting air out of the

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3 Ford engineering document EXP3 1107, "Subject: UN46 Handling/Stability Status."
4 Ford engineering document EXP4 1581-84, "Proposed UN-46 Chassis Design Modifications."
5 Ford document EXP1 0622, email from White to Houston, September 11, 1989.
Explorer's tires. In a 1989 Development Report on "Suspension Development Status," after noting that they had investigated variations in tire pressure "as means to achieving the UN46 [Explorer] ride and handling objective," Ford engineers recommended use of "reductions in tire pressure to meet the program objectives" for both ride and handling.⁷

Similarly, in addressing rollover stability, Ford engineers adopted a "strategy" of limiting cornering capacity of the large tires demanded by the Ford marketing department by, again, reducing air pressure.⁸

When it came to creating understeer, the Ford engineers again turned to lower tire pressure.⁹

By putting profits and public relations image in front of sound engineering principles, Ford caused two catastrophic consequences. First, Ford reduced the margin of safety for the tires that it specified to Firestone, contributing to the rare but now highly publicized phenomenon of tread separations on Explorers. Second, because of the vehicle's design, the Explorer, following a rear tire tread separation, immediately transitions to an oversteer truck that is likely to go out of control and roll over in the hands of the ordinary driver.

B. Development of the Explorer

1. Initial Design Flaws Based on Bronco II and Tire Manipulations

Ford's internal documents describe the Explorer as a new and freshened Bronco II. Ford initially intended to continue using the Bronco II name, but decided to change the name to

(continued)

⁸ See, e.g., Ford engineering document EXP4 1273-74, "Subject: UN46 status."
Explorer when the Bronco II came under fire for rollover problems and Ford sought to distance itself from criticisms of the Bronco II.10

As early as 1986, Ford engineers started playing with tire sizes to address rollover stability, rather than making more fundamental changes in their vehicles. Ford engineers labeled the P195 tires as the “base tire” on the Bronco II to achieve a satisfactory “stability index” because the Bronco II with P215 tires, which it sold as an option tire on the Bronco II, could not pass Ford’s rollover stability tests.11 One Ford engineer questioned this approach: “Shouldn’t we be looking at more permanent ways of improving the stability index of Bronco II other than small tires?”12 Another Ford engineering document explained that the company chose to play with tire size rather than spend the time and money to create a truly safer vehicle:

Stability index requirements are always tied to base vehicle (this decision was reached with help of OGC [Office of the General Counsel]). Since the P215 pushes the stability index below the accepted minimum of 2.1, the suspension guys felt they need to retain a tire that has the minimum S.I. Better alternatives to tire size are for example
- lowering vehicle
- lowering CG by adding weight low in vehicle
Cost and timing implications of these kind of actions have always stalled them in their tracks to White.13

In designing the Explorer, Ford stuck with the basic Bronco II frame and suspension, and utilized the same philosophy of playing with tires to address rollover stability concerns. As a result, the Explorer shared virtually the same track width, high engine mount, obsolete

(...continued)

9 See, e.g., Ford engineering document EXP4 0193, “UN46 Analysis.” See also Id.
10 See, e.g., Ford media relations document EXP4 1280-84, “Explorer Q&A.”
11 See Ford document 000012766-67, memorandum from Snodgrass to Bacigalupi and Vought, September 3, 1986 See also note 3.
12 See Ford document 000012765, memorandum from Bacigalupi to Snodgrass, September 5, 1986.
13 Ford document 000008940, memorandum from Bacigalupi to White, October 6, 1986.
suspension, and elevated center of gravity as its parent vehicle, the Bronco II. "[G]iven the fundamental constraints imposed by the vehicle package and suspension 'type'" carried over from the Bronco II, Ford struggled to reduce the Explorer's rollover propensity; most of Ford's struggles involved specifying the tires rather than changing the vehicle.

2. Explorer Testing – Unrealistic Measure of Vehicle Safety

Ford required that the Explorer pass "J-Turn tests," an unrealistic maneuver invented by the Insurance Institute for Highway Safety in the early 1980s, before being released for production. A "J-Turn test" is an extreme turn at a given rate speed (usually 45 or 60 mph), and an evaluation of whether the vehicle's tires lift off the ground. In addition, while not a formal requirement, the Consumer Union's lane-change rollover stability test: "became an implicit requirement for the Explorer due to the potential for adverse publicity" if it failed.

Because of these image and litigation-driven requirements, the development of the Explorer turned into a story of tweaking the vehicle and the tires in an attempt to pass these tests, while at the same time providing a softer ride acceptable to Ford's target marketing group – families. Even though Ford's internal documents had identified understeer as the most important vehicle handling characteristic in maintaining directional control and reducing rollover exposure, the design tradeoffs made by Ford to pass J-Turn and Consumer Union tests did not address or seek to increase understeer and the degradation they caused in the vehicles control characteristics.

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14 See note 6.
15 Id.
16 Id.
17 See note 1.
In late 1988, more than a year before the Explorer's spring 1990 introduction, computer modeling showed that "the vehicle still has 2 wheel lift no matter what tire is on it, 225/70, 215/75 or 205/75."\(^{19}\) In February 1989, the computer simulation continued to show unacceptable rollover performance with certain P245 and P225 tires.\(^{19}\) The result remained poor in computer simulations after lowering the rear of the vehicle by one-half inch with 26 psi in the tires.\(^{20}\)

Undeterred by these results, Ford management concluded in late February 1989 that with 26 psi in the P235 and P245 tires, and tweaks to the suspension, stabilizer bar and a one-half inch reduction in rear ride height, the Explorer would meet its handling objectives.\(^{21}\)

Ford then tried every trick in the book to get the vehicle to pass the J-turn test, including in one March 1989 simulation placing all four test dummies on the vehicle's floor to lower the vehicle's center of gravity. The Explorer still failed the test.\(^{22}\) Later in March 1989, the Explorer failed J-Turn tests with a variety of tire pressure and suspension configurations.\(^{23}\) At one point, it was proposed that if the marketing implications were not too great, the P225 tire be the largest tire allowed on the vehicle and that the maximum load allowed for the vehicle be reduced.\(^{24}\) Even in August 1989, the Explorer failed J-Turn tests at its Arizona proving grounds with 35 psi in the P225 tires.\(^{25}\)

\(^{19}\) Ford document EXPT 1047-49, memorandum from Figliomeni to Avouris, November 29, 1988.


\(^{21}\) Ford document EXPT 2273, memorandum from Figliomeni to Avouris (undated).

\(^{22}\) Ford document EXPU 9476-78, "Development Report."

\(^{23}\) See Ford document EXPT 1168, email from Avouris to Campbell, March 8, 1989.

\(^{24}\) Ford document EXPU 1275, memorandum from Starr to Avouris and Campbell, May 10, 1989.


Concerned over the Explorer's struggling performance in rollover stability tests, in June 1989 Ford management actively considered releasing the 4-door Explorer on P225 tires as a "strawman" because it would pass the Consumer Union test with those tires, though not with P235 tires. Six months later, after the "strawman" passed the test, Ford could quietly release the 2-door and 4-door on P235 tires. Thus, Ford cynically manipulated not only the design of the Explorer, but also the testing, solely to get the new Explorer to "look" or "seem" like it was stable, regardless of whether it really was or not and regardless of the effect such manipulations might have on the margin of safe controllability.

3. Manipulative Marketing

Ford not only manipulated the design of the Explorer to make the vehicle seem like it was rollover resistant but also to make it seem to the consumer something it was not -- a passenger car.\textsuperscript{27} The Explorer is in fact a "Light Truck" derived from the Bronco II and Ranger trucks, not a passenger car. Nevertheless, driven by its intense marketing determination to get suburban "soccer moms" to buy and drive the vehicle, Ford imposed upon the vehicle design a passenger-car-like ride.\textsuperscript{28} Ford accomplished this by, among other things, softening the suspension, using a P-metric (passenger car) tire, and taking air out of the tires.\textsuperscript{29} Knowing that this passenger-car-like vehicle would be just as likely to roll over as the Bronco II, Ford intentionally designed excessive body roll into it to act as a deterrent to the driver against making sharp turns that might

\textsuperscript{26} See Ford document EXPT 0570-71, email from Stornant to Campbell, June 23, 1989.
\textsuperscript{27} See e.g., Ford document EXP2 1578, "Inter-office Memorandum," June 9, 1987.
\textsuperscript{29} See e.g., note 24.
result in rollover.\textsuperscript{30} This change was made even though the relatively low damping of body roll adversely affects controllability of the Explorer. This change, coupled with Ford's other design tradeoffs intended to provide a vehicle more resistant to rollover allegations rather than to improve safety, ultimately resulted in the sacrifice of the amount of understeer and other contributions to a proper formation of controllability necessary to provide reasonable consumer safety in foreseeable tire failure circumstances.

4. \textbf{Flawed Tire Decisions}

In the fall of 1989, an engineer warned that the Office of the General Counsel of Ford was "arming themselves for one more attempt to . . . restrict [the Explorer] to P225 tires.\textsuperscript{31}"

Obviously, the attempt by the lawyers to address a safety issue failed. Ford sold the Explorer with optional P235 tires.

Ford engineering documents summarize the Explorer's twisted development history by conceding failure:

The 1990 Explorer has been designed to achieve the best possible handling stability given the fundamental constraints imposed by the vehicle package and suspension "type". . . . To achieve the stated [stability] values, the Explorer has been lowered to the maximum extent possible. The relatively high engine position of the Explorer, unchanged from Bronco II, precludes further significant improvement in Stability Index without extensive suspension, frame and sheetmetal revisions.\textsuperscript{32}

Ford recognized that the Explorer, particularly the 2-door with P235 tires likely would fail the Consumer Union test.\textsuperscript{33}

\textsuperscript{30} See n.2, supra.
\textsuperscript{31} Ford document EXP 0625, email from Stornant to White, September 11, 1989.
\textsuperscript{32} Ford engineering document EXP 1108, "Subject: 1990 Explorer Handling Stability."
\textsuperscript{33} Id.
With all of Ford’s design manipulations to achieve the appearance of rollover stability, the Explorer nevertheless remained an unstable vehicle when it was sold to the public beginning in 1990. Both computer simulations and Ford’s actual testing in 1989 showed that the 2-door Explorer with P235 tires was as unstable as the highly criticized Bronco II, and the 4-door was only slightly better. When Ford engineers recommended major changes to the front suspension, steering system, and rollover stability dimensions in order to make the vehicle as resistant to rollover as they knew it needed to be, management rejected the proposals because they would interfere with “Job 1.” Internally, “Job 1” at Ford meant meeting the March 1990 initial production date. Ford reasoned that even though it did not make needed fundamental changes to the Explorer in development, it would still perform better than the Bronco II in rollover statistics because of the longer wheelbase and increased understeer (largely from reduced tire pressure) and more conservative drivers. “With the high (80/20) mix of 4dr vehicles, we can expect a less aggressive driver profile with a corresponding reduction in all accident statistics.” Ford internal documents show that Ford management blithely “accepted [the] risk” that the Explorer would have a higher rollover risk with the larger P235 tire.

Ford also blithely “accepted the risk” that the vehicle would become uncontrollable in foreseeable circumstances, such as tire failures. As Ford recently admitted to NHTSA, it simply chose not to test to determine how much tire tread/belt separation, which it admitted to be

34 Sec. e.g., Ford email EXPI 0619-20, email from Stornant to White, September 12, 1989.
35 See note 4.
37 See note 34.
foreseeable, would reduce understeer and controllability and thus lead to unnecessary accidents. Ford failed to do such testing even though it knew from tire testing it had done and decades of use of numerous tire brands on the cars it manufactured that tire tread/belt separations could occur with the tires to be used on the Explorer. Contrary to Ford's assertions in the March NHTSA presentation, there was nothing about the Explorer design that was intended to or did ensure vehicle controllability in the event of tread separation.

C. The Weight of the Explorer Further Stress the Tires

That Ford took air out of the tires to increase the Explorer's rollover stability cannot be reasonably disputed. Nor can it be disputed that weight—i.e., the load placed on tires—is a factor in tire life. Dr. Sanjay Govindjee from the University of California at Berkeley established that vehicle loading is a very significant factor leading to tread belt separations. It also cannot be disputed that at 26 psi, Ford left a very small loading margin for safety in the tires.

The P235 tire at 26 psi on the Explorer has a margin for safety in terms of weight of about 150 pounds. At 23 psi, that tire on several versions of the Explorer has reached its maximum load at the GAWR of the vehicle. Below 23 psi, the tire would be overloaded. In fact, through 1996, Ford continually added weight to the Explorer. The 1990 4x4 4-door increased from about 5,000 pounds to nearly 5,400 pounds in 1993 to well over 5,600 pounds in 1996. It is no surprise that a significant majority of the claims that Firestone has received is on the heavier Explorers.

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30 See Firestone Tire Failure Analysis, Dr. Sanjay Govindjee, January 30, 2001, at 35.
40 See attached chart.
In fact, the Explorer has an extremely low tire inflation safety factor relative to other popular SUVs.\footnote{See attached chart.}

The bottom line is that Ford placed too much on the tires. It set the specifications for the tires and Firestone met those specifications. But Ford also reduced the tire pressure to the minimum so the inherently unstable Explorer could pass, just barely, internal J-Turn tests, and so the light track would ride more like a car to attract family drivers. At the same time, Ford designed a heavy (and for that matter, top heavy) vehicle, and then continued to make the vehicle heavier. No wonder that the combination of low or in many cases under inflated tires with heavy loaded vehicles in the hot summer lead to an increase in tread separations.

Not surprisingly, the real world data shows that this is more than just theory.

III. The Real World Data Show the Explorer Has A Control Problem

Not only do Ford's internal documents show that the Explorer's designers ignored what they knew about the relationship of under steer and vehicle control, the real world facts support the conclusion that this is not a case of a "bad tire," as Ford's Chairman Nasser has asserted, but a vehicle with a control problem:

1. Of the 2.6 million Wilderness AT 15" tires not supplied last year and recalled to General Motors, there are only 2 tread separation claims — less than 1 ppm!.

2. The non-recalled Wilderness AT 15" tires supplied to Ford have a tread separation claims rate 8 times higher on the Explorer than on the Ford Ranger. The tires on each vehicle are exactly the same.
3. As of the end of 2000, the total number of tread separation claims and lawsuits for the 13 million tires that Ford is replacing is 118. That is, less than 10 parts per million or 0.0009%. This is incredibly low. Ford’s announcement to replace these tires is itself suspect. No rational automobile company in the world would spend $3 billion to address a “problem” that doesn’t exist.

4. Just a few weeks ago, there was a report of a Ford Explorer accident in Ft. Myers, Fla. According to the report, a BF Goodrich tire on the left rear separated, the driver then lost control, and the vehicle ultimately rolled over, killing the driver. In the newspaper report, the state trooper on the scene stated that a tread separation does not ordinarily mean that you lose control of the vehicle.

5. In Venezuela, there are reports of 43 rollover accidents on Explorers between May 2000 and June of this year. All are Goodyear or other competitor tires. This rate of rollovers has prompted the Venezuelan Consumer Protection Agency to consider that Explorers be banned from the country. In fact, in the last 10 days alone, four people have died in 2 separate Ford Explorer rollovers; both of the accidents were on competitor tires.

6. Finally, the crash data itself shows the stability problems in the Explorer. Based on the Florida Traffic Crash Database, the odds of an Explorer rolling over in a single vehicle highway tire-related incident are 4.35 while the odds of comparable SUVs rolling over in the same accidents are 1.92. See attached chart. The odds ratio of a fatality occurring in such an accident is nearly three times greater with the Explorer. The Explorer did not fair much better in Texas. In such incidents based on the Texas database, the odds ratio of an Explorer rolling over is 1.58 times
that of comparable SUVs.\textsuperscript{43} The odds ratio of being killed if an individual is in such incident in Texas while in an Explorer is nearly four times that of other comparable SUVs.\textsuperscript{44} This data proves that the Explorer in single vehicle, tire related highway incidents simply does not perform up to par with its competitors. The testing performed by Dr. Dennis Guenther show why.

IV. \textbf{Dr. Dennis A. Guenther's Engineering Analysis Of The Ford Explorer}

A. \textbf{Summary}

This analysis is focused on the loss of control experienced by the Explorer in normal highway driving following a rear tire tread/belt separation (hereinafter "tread separation").

Loss of control in this circumstance often results in the Explorer leaving the highway and rolling over or spinning into an angle relative to its path of travel on the roadway sufficient to cause rollover, with or without tripping, or other serious accidents. Because loss of control is a precursor to rollovers and other serious accidents, the hypothesis is suggested by common Explorer accident scenarios that the Explorer has a control problem leading to rollover and other crashes in the event of tread separation.

\textsuperscript{43} See id.

\textsuperscript{44} See attached chart.
Dr. Guenther has tested that hypothesis and found that:

- the Explorer models he has tested, as designed, have a significantly lower amount of understeer than the other SUV's he has evaluated, less than half as much as the Jeep Cherokee and Chevrolet Blazer;

- the Explorer loses much of its small margin of understeer when it is loaded to gross vehicle weight rating; the Cherokee and the Blazer do not;

- the Explorer models tested, unlike the Cherokee and the Blazer, lose all of their understeer and become oversteer vehicles in most circumstances following tread separation on a left rear tire, the predominant tire position in Explorer tread separation crashes; the only exception in Dr. Guenther's investigation is a light load configuration in a counter-clockwise turn, with the separated tire mounted on the left rear, a circumstance where the vehicle retains a very small amount of understeer;

- an oversteer vehicle is extremely difficult for most ordinary drivers to control, particularly at interstate highway speeds where it can become directionally unstable;

His conclusion based on these findings is that the Explorer is defectively designed in that it has an inadequate margin of control in the foreseeable circumstance of tread separation during normal highway driving in most load and turning circumstances.

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45 Left rear tread separation is the most common finding in Explorer accidents involving tread separation and is the condition examined to date.
B. Relevant Engineering / Accident Reconstruction Concepts

1. Understeer/Oversteer

The terms "understeer" and "oversteer", while not particularly descriptive in themselves, are engineering terms that are used to characterize what is one of the most significant control relationships in driving an automobile in the linear range\(^6\) – the amount of steering input necessary to produce an amount of G’s of lateral acceleration, which produces the side force that accomplishes turning of an automobile. It is measured and expressed in degrees of steering wheel input per G of lateral acceleration.

The amount of understeer or oversteer in a vehicle is measured by driving the vehicle in a constant radius circle at an increasing speed and recording the degrees of steer input per G of lateral acceleration. In an understeer vehicle a test driver, in terms of what he perceives and does in that circumstance, must steer toward the center of the circle, with increasing steer input as he increases speed, in order to stay on the path of the constant radius circle; that is the same thing the average driver experiences as he drives around a curve – he must steer to the inside of the curve in order to generate the side force necessary to turn the vehicle and stay on the curving path, and the rear of the vehicle follows the front around the circle.

An oversteer vehicle behaves just the opposite. The test driver would have to steer away from the center of the circle in order to stay on the constant radius circle as his speed increases– he would have to "take steer out" or "reverse steer" in order to keep the car on the path of the

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\(^6\) Linear range in this context refers to normal everyday driving by average drivers.
circle as he increases speed.\textsuperscript{47} “Because of this need for steering reversal, final oversteer is generally considered bad.”\textsuperscript{48}

Automobile manufacturers do not intentionally design an oversteer characteristic into cars intended for ordinary drivers because “a vehicle that oversteers, by design or circumstance, is highly undesirable.”\textsuperscript{49} The vehicle dynamics literature is clear that an oversteering vehicle is directionally unstable – generally speaking, “an understeering vehicle is a directionally stable vehicle” and “an oversteering vehicle is directionally an unstable vehicle.”\textsuperscript{50} A vehicle is directionally unstable if steering or disturbances, such as wind, generate forces that cause an ever-increasing vehicle response until it spins out.\textsuperscript{51} Oversteer characteristically results in spinout.\textsuperscript{52}

Generally, it is “desirable to have understeer to avoid directional instability.”\textsuperscript{53} Ford, like any other automobile manufacturer, tries to build understeer into its cars.\textsuperscript{54} They do this because understeer is essential to safety control an automobile.

Car designers can increase or decrease the amount of understeer in a vehicle by many different means – by adjusting spring rates, suspension geometry, frame stiffness, roll damping, etc.\textsuperscript{55}

\textsuperscript{47} See Gillespie, “Fundamentals of Vehicle Dynamics,” for a technical definition of “understeer” and “oversteer.”


\textsuperscript{51} Id.


\textsuperscript{54} See, e.g., note 1.
tire properties, tire pressure, weight distribution, and other vehicle and component characteristics. They adjust these and other elements which result in the amount and character of control available. Automobile designers, of course, may adjust these elements for reasons other than achieving or influencing controllability; they may, for example, make such adjustments to seek ride comfort, to achieve a “flat” European cornering feel, to improve rollover resistance, or for other reasons. Each of those trade-offs for such reasons, however, potentially affects the amount of understeer and the amount of control safety margin, and the result is exacerbated by the potentially greater understeer needs of SUVs.

Cars differ from each other in how much control margin, or understeer, they have. How much understeer is necessary to provide a safe margin of control? The answer from an engineering perspective is: The amount necessary to provide predictable vehicle control in foreseeable driving circumstances for the drivers intended for that vehicle.

The foreseeable circumstances of driving include many things – the coefficient of friction of the roadway surface, wind gusts, ice and snow, vehicle load, component wear and failure, the effect of heat and use on the fit and flexibility of suspension system components, and many others. One foreseeable circumstance, of course, is tires wearing out and eventually failing, including tread separation, the most common mode of wearout failure for steel belted radial tires. All of these circumstances can cause an increase in the need for understeer or directly decrease the amount of understeer available in the vehicle. For example, tread separation will change tire properties related to understeer, decreasing cornering stiffness and traction provided by belt and tread.

These are not new considerations for Ford automobile designers. For more than 30 years, the technical literature relating to tire influence on vehicle dynamics has pointed out that in order
to avoid oversteer following rear tire failure, "it is desirable to make the car strongly understeer in the original condition." 55 Tests on the predecessor to the Explorer, the Bronco II, demonstrated that following rear tire tread separation that "vehicle exhibited dramatic oversteer characteristics and was unstable." 56

Not only is oversteer an unacceptable vehicle characteristic, but the transition from understeer to oversteer that might occur in the event of loss of tread and tire cornering properties, if sufficient understeer is not originally built into the car, is particularly dangerous. The unexpected reversal of the handling characteristics of the car in that circumstance is just the sort of unexpected event that leads to driving accidents; it is particularly unexpected because "none of the currently manufactured passenger cars show such behavior in ordinary driving." 57 The ordinary driver has not experienced and cannot anticipate the catastrophic results of this reversal.

One of the car designer's engineering obligations is to quantify the amount of understeer and other vehicle control characteristics required to account and compensate for such varying and foreseeable events, the inevitable changes in driving circumstances. By that quantification he determines the amount of understeer, the margin of control, that must be designed into the car.

2. Tread Separation

Tread separation is a failure mode usual in steel belted radial tires. 58 The majority of Firestone tires incurring a tread separation, without some causally related damage to the tire, are

56 See note 49.
high mileage tires with long use. The causes of this form of failure are heat, loading, oxidation and cyclic stressing, all of which can weaken and result in shearing of the rubber bond between the layers of steel belts, which centrifugal force can then pull apart. This breakdown is an inevitable result of the chemical and physical properties of rubber tires and how they are commonly used.

Those who are unfamiliar with tires or with accident reconstruction tend to describe tread separations or accidents associated with tread separations as if they are explosive events in which the vehicle is thrown out of control by the force of the separation. The scientific literature and testing commissioned by automobile manufacturers and others, however, has repeatedly demonstrated that this is not correct.

For example, Carr Engineering, vehicle dynamics experts regularly retained by Ford to testify in automotive litigation, carried out testing on behalf of Ford relating to, among other things, the forces involved in tread separation. Their findings in those tests led them to conclude:

During the tread separation event, the tire did pull the vehicle slightly to one side but the driver kept a straight line path with a small steering correction. This amplitude of steer angle is small and on the order required to keep a vehicle in the lane on curved highways or in a straight path during other events such as wind gusts or driving through water puddles at highway speeds. ⁵⁹

Other automotive researchers, including plaintiff experts pursuing forensic inquiries, academic researchers, and Firestone, have arrived at the same conclusion based on numerous tests, including tests involving the Explorer and the Firestone tires mounted on it as original equipment. For example:

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• "Separation by itself was not sufficient to cause loss of control." "No induced steering was felt as a result of tread separation." Test results by this author corroborate work by Gardner who measured that steering wheel inputs during tread separation are of the order of magnitude of lane change maneuvers during high speed travel.60

• "Maintaining control of the vehicle after tread/belt separation requires a steering torque similar to that required for a lane change maneuver." "The results of the testing show that the forces developed during a tread/belt detachment are well within the range of a driver's ability to control a vehicle."61

• "Little or no corrective steering action was needed to maintain control of the vehicle during the tread separation events."62

Descriptions of tread separation related accidents also sometimes fail to accurately capture the sequential nature of those accidents. Engineering analysis and accident reconstruction require that tread separation and accidents associated with them be broken down into their separate parts. For those purposes, the accident events should be viewed as three separate and sequential elements:

(...continued)

62 Gardner, "The Role of Tread/Belt Detachment in Accident Causation," at pages 7-8, 10 (1998). (Test vehicles were Ford Explorer, Camry Station Wagon, and Chevy Truck C2500).
a. Pre-separation

This is characterized by vibration felt generally in the vehicle, (see notes 58 and 60) as the tire is deformed from a smooth circle to an irregular “circle” by movement of the tread and belt. This vibration is something most drivers have experienced in connection with a failed tire, whether a puncture blowout or a tread separation or some other mode of tire failure.

The vibration serves as notice that something is wrong with a tire, a message that most drivers understand as requiring them to take their foot off the gas, check the traffic around them, and begin to move to the shoulder of the highway to change the tire.

b. Separation

Testing, (see notes 58, 59, 60 & 61) establishes that the actual tread separation is a benign event in terms of the amount and duration of forces exerted on the automobile laterally, longitudinally and vertically.

c. Post-separation

In the period immediately following tread separation on a rear tire any SUV will lose some understeer because the tire properties contributing to control of the vehicle – cornering stiffness, traction, etc. – will have been reduced because of removal of the tread and one of the steel belts. It is the controllability of the Explorer in this circumstance that Dr. Guenther is investigating.

C. Engineering Evaluation Of Explorer Directional Control

Dr. Guenther was retained by counsel to assist them in the preparation of Firestone’s defense in the personal injury litigation arising out of Explorer crash and rollover accidents. While he made measurements of and inspected various Explorers and engaged in some accident reconstruction at the direction of counsel, he did not undertake the dynamics testing and data
analysis underlying his conclusions concerning the controllability of the Explorer until last month.

Firestone had expected that Ford, as part of a root cause analysis, would focus on the vehicle and provide Firestone, NHTSA and the Congress information about the vehicle’s handling in a tread separation event. Ford has 15 years of experience in the design and development of and litigation about the Explorer. They have that information. Firestone requested Ford participation in investigation of the vehicle in October of last year. In spite of repeated follow up requests, Ford made no response to Firestone. It became clear that Dr. Guenther’s engineering evaluation of the Explorer would be important not only in defense of the litigation but in addressing congressional, regulatory and public concerns about automotive safety relating to loss of control and rollover of the Explorer when it experienced tread separation.

1. Testing Conducted

   a. Site

   The tests were carried out at the Transportation Research Center, Inc. (TRC) test facility near East Liberty, Ohio. The facility is used on a contract basis by numerous automobile manufacturers, component suppliers, and state and national regulatory authorities to conduct automotive safety testing. It was used by NHTSA, for example, in 1997-98 to conduct extensive tests of maneuvers that may induce on-road untripped rollover in various vehicles, including the Ford Explorer.\(^3\) Ford used TRC in development testing of the UN-105, the version of the Explorer offered in 1995 and subsequent years.

\(^3\) See note 52.
b. Study Objectives

The purpose of the testing program, which is ongoing, is to examine the margin of control in the Explorer as designed and, comparatively, in peer SUVs in the circumstance following rear tire tread separation. Due to the complexities and non-linearity of vehicles and the nature of the Explorer accidents, Dr. Guenther chose to explore the linear range as a preliminary investigation. In the linear range, a principal parameter of control is the understeer/oversteer gradient (other parameters such as steering response time and gain, and steering frequency response are also being examined as they may relate to loss of control in the event of tire tread separation).

c. Test Vehicles

The vehicles evaluated are the following:

<table>
<thead>
<tr>
<th>Year</th>
<th>Model</th>
<th>Dr</th>
<th>4x2</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>Ford Explorer</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>1996</td>
<td>Chevy Blazer</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>2001</td>
<td>Jeep Cherokee</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>2000</td>
<td>Ford Explorer</td>
<td>4</td>
<td>2</td>
</tr>
</tbody>
</table>

Each vehicle was tested with its original equipment (OE) tires at OEM recommended tire pressure. The 1996 Explorer was tested with both OE Firestone tires and OE Goodyear tires recommended by Ford.

d. Vehicle Instrumentation and Measurement

The data acquired for purposes of this analysis was the following.\footnote{See attached exhibit 5.}

Vehicle Input

Steering Wheel Angle
Vehicle Speed

Vehicle Response

Lateral Acceleration

Yaw Rate

Body Roll Angle

e. Test Maneuvers

The tests conducted are universally recognized standard tests used by automobile manufacturers, including Ford, and other researchers in vehicle dynamics for establishing the values investigated. The tests are as follows:

Stop Steer - The vehicle is driven on the test pad area in a straight line at a constant speed. The driver then rapidly turns the steering wheel until it hits a mechanical stop. Steering wheel stops are set to attain a desired lateral acceleration at the test speeds. This steer angle is held until steady-state response is established.

Tests were run in both directions (right turn/left turn) and at two speeds (60 mph and 40 mph). The test was run both with four good tires and with the left rear tire detreaded by cutting between the steel belts; test runs with the detreaded tire were done only at the slower 40 mph speed. Test runs were done at both light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating).

The test is used to measure vehicle response times as related to lateral acceleration and yaw velocity response, and to measure the gain of these responses in relation to steering wheel input (output divided by input).
Constant Radius Circle - The vehicle is driven around a 200 foot constant radius circle with increasing speed. The driver adjusts the steering angle (by turning the steering wheel) as necessary to keep the vehicle on the path of the circle.

Test runs were done in both directions, clockwise and counter-clockwise, with four good tires and with the left rear tire detreaded. Test runs were done at light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating).

The test is used to measure understeer and oversteer (degrees of road wheel steer per Gs of lateral acceleration).

Frequency Response - Sinusoidal sweep steering tests are frequently used to determine the linear response of vehicles. The vehicles in these tests were driven on a long straightaway with the driver steering with slowly increasing frequency up to approximately 3 to 4 Hz followed by decreasing frequency. The test was run at a nominal speed of 66 mph.

The test measures lateral acceleration gain, yaw velocity gain, and phase angles at the frequencies tested (up to 3 to 4 Hz).

f. Results of Directional Control Tests

The results of the constant radius circle tests are set forth in data sheets and charts attached hereto as Exhibit 6. Data reduction and analysis continues with respect to the step steer and frequency response tests.

In summary, the findings in the tests are as follows:

Constant Radius Circle - This standard method of measuring understeer/oversteer gradient establishes that the Explorer, with four good tires, has a relatively small amount of understeer compared to other SUVs tested – less than half the amount found in the Blazer and the Cherokee. In fact, the Cherokee has about the same understeer with a detreaded tire as the
Explorer with four good tires. These findings are consistent with NHTSA vehicle
classification tests that found that the Explorer had the lowest amount of understeer of the 12
vehicles on which it conducted rollover-inducing maneuver tests.\(^{65}\)

The test results show that, unlike the other SUVs tested, the Explorer loses its small
margin of understeer when it experiences a tread separation and becomes an oversteer vehicle.

This is true whether the Explorer is operated on Goodyear OE tires recommended by
Ford or on Firestone OE tires.

The Explorer's oversteer characteristic is worse in the loaded condition. The only
circumstance in which it does not become oversteer with a detreaded tire is when it is lightly
loaded (curb plus driver and instrumentation) and the detreaded tire is on the inside rear position
(left rear in a counter-clockwise turn); in test runs in that configuration the Explorer is almost
neutral steer with respect to the understeer/oversteer gradient.

An oversteer vehicle is not safe at highway speeds in the hands of an average driver.
Sometimes a driver may achieve directional control, sometimes he may not.

In addition to his dynamic testing, Dr. Guenther has carried out several accident
reconstructions involving Explorer crashes and reviewed numerous police accident reports
concerning such accidents. Explorer rollover accidents, as reflected in those reconstructions and
police accident reports, frequently occur

\[\begin{itemize}
  \item \text{on interstate or similar high-quality, high-speed roadways, without}
  \hspace{1cm} \text{environmental interference;}
  \item \text{in straight line travel;}
\end{itemize}\]

\(^{65}\) See note 42.
• at highway speed
• with no driver impairment
• with no risky behavior
• with rear tire tread separation
• with some apparent effort at driver steering control reflected in change(s)
of vehicle heading and path of travel.

2. Conclusion

The Explorer is an oversteer vehicle in most circumstances after it experiences tread separation. Oversteer can make a vehicle directionally unstable and subject to loss of control in the hands of most drivers. This is a vehicle problem, not a tire problem. The vehicle performs the same following tread separation on the Goodyear tire as it does the Firestone tire. This must be regarded as a highway safety defect within the meaning of the National Traffic and Motor Vehicle Safety Act.

V. The Ford "Explorer Vehicle Dynamics Presentation" To NHTSA Of March 28-29, 2001 Concerning Explorer Loss Of Control Following Tread Separation Is Misleading And Irrelevant

The following statements and charts are examples of the many inaccuracies and irrelevancies contained in the Ford vehicle dynamics presentation to NHTSA:

• Statement at page 3H-3 18. Exhibit 7 – The statement about tread separation, "This fundamental cause [of loss of control, i.e., decreased tire traction] overwhelms differences in design among vehicle classes or within vehicle classes. Explorers perform like all other vehicles", is true only with respect to limit maneuvers, that is, at high lateral acceleration where most of us never operate a vehicle, even in most emergency maneuvers. The statement is not relevant or accurate in the linear range of maneuvering, that is, at low lateral accelerations.
experienced in normal driving (e.g., 0.3 Gs or less). The maneuver involved in correcting for the small amount of drag following a belt separation (similar to a normal lane change steer, according to SAE test literature), or the maneuver involved in bringing the car to the shoulder so that you can change the tire is just such a low lateral acceleration maneuver, even at highway speeds.

In normal everyday driving maneuvers following a tread separation the Explorer does not perform like all other vehicles. In this circumstance, it has a higher likelihood of loss of control because it lacks the necessary margin of understeer to remain directionally controllable in highway maneuvers involved in normal driving. Peer SUVs, such as the Cherokee and Blazer, remain understeer and more controllable in a wider range of maneuvers following tread separation than the Explorer.

- Statement at page TH-3 76. Exhibit 7 – This chart purports to show results of various SUV vehicles in a constant radius circle test following a tread separation. It shows all vehicles including the Explorer maneuvering at more than 0.5 G lateral acceleration with a separated tire on the outside rear. That is a physical impossibility in normal highway travel; these vehicles in general and the Explorer in particular cannot generate that much lateral acceleration with a detreaded tire in the outside rear position in normal highway travel. The Explorer will spin out of control before it reaches 0.5 G lateral acceleration in this circumstance. Ford can do it only as a trick on a low speed 100 foot radius circle. It indicates the irrelevant nature of the information presented to NHTSA in its vehicle dynamics presentation.

The suggestion accompanying the chart that “Explorers and peer vehicles oversteer above approximately 0.4G, with tread off of outside rear tire” is not accurate or relevant. The Explorer

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with a detreaded tire is oversteer in that circumstance at all lower lateral acceleration levels while the Blazer and Cherokee are not. Moreover, it is not relevant to an analysis of highway safety in normal driving because motorists generally do not operate their vehicles at the higher level of lateral acceleration examined by Ford. The assertion is made that "tread separation on O/S rear tire narrows differences among all vehicles (overwhelms design differences)" is, again, not accurate in the linear range; it only applies to limit maneuvers. Following tread separation, the Blazer and Cherokee maintain understeer in the linear range while the Explorer has none and changes completely to oversteer; the Cherokee, in fact, has about as much understeer with a detreaded outside rear tire as the Explorer does with four good tires. Similarly, the statement that "Explorer performance is typical of peer vehicles" is not accurate for linear range operations for the same reason. The Explorer is oversteer in the linear range of lateral acceleration following outside rear tread separation (about 0.3G or less), other SUVs remain understeer in the linear range.

• Statement at page TH-3 87. Exhibit 7 – This simulation chart depicts all vehicles as having the same maneuvering limits following a tread separation. Dr. Guenther’s testing at TRC demonstrates the contrary in the linear range and the computer-generated simulation has no basis in fact.

• Statement at page TH-3 132. Exhibit 7 – The first and fourth statements on this page are presented without any supporting data of any sort. The Explorer does not “perform similar to others in its class in the event of a tire tread separation”, rather, it becomes oversteer, an unpredictable, unfamiliar, unsafe handling condition. For that reason, the Explorer does not “have a margin of safety ‘as designed’ to accommodate, to a reasonable level, component failures including tread separations.”
• Statement at page TH-3 134. Exhibit 7 – The fourth statement on this page is false. The designers of the Blazer and the Cherokee have in fact provided a margin of control safety following tread separation in the design of those vehicles. They did it more than a decade ago, when the Blazer and the Cherokee were the primary SUV examples available to Ford engineers for comparative analysis when they designed and developed the Explorer.

VI. Conclusion

Ford has had over twenty years to adjust the design of the Ford Explorer and to work cooperatively and responsibly with its tire suppliers to ensure the safety and stability of its vehicle. To date, it has failed to do so. The design of the Explorer is an oversteer vehicle in the event of a tread separation. A tread separation is normally a benign event that a driver can control by pulling to the shoulder of any roadway. The flawed design of the Explorer, however, renders the vehicle in a tread separation event susceptible to rollover and therefore potentially lethal. While real world data and an engineering analysis of the vehicle confirm this phenomenon, Ford refuses to accept the facts and take responsibility. The purpose of this analysis is to ensure that these facts are publicly known, and, in the best case, to compel Ford to take responsibility for its flawed attempts to protect its defective product.
Ford Explorer has low safety margin versus other popular SUVs.

* Bar height based upon range of vehicle GVWs.
Attachment 3

FLORIDA CRASH DATABASE ANALYSIS

DOCUMENTATION FOR MID-SIZE SUV COMPARISON

JUNE 11, 2001
FLORIDA DATABASE OVERVIEW

The analyses in this document are based on the Florida Traffic Crash Database. The Florida Traffic Crash Database contains information on motor vehicle crashes that occurred in the state of Florida in calendar years 1993-1999, and through the first three quarters of 2000.\(^1\) It is organized in seven relational databases containing information on the Event, Vehicle, Driver, Pedestrians, Violations, Passengers and D.O.T Site Location.

Only crashes that required police intervention or the provision of emergency services are present in the database, since official reports are only produced if these agencies are involved in the incident. All statistics presented refer only to the population of vehicles involved in the reported incidents, i.e. all statistics are conditional on being in the crash database.

To identify the specific vehicle make and model, a VIN decoder was used. The analyses presented here are based on VIN decoding of the database by Firestone. Firestone utilizes a POLK VIN decoder, a commercially available VIN decoder.

Of the 2,894,366 records in the Florida database that are vehicle type automobile, passenger van, or pickup/light truck (2 rear tires) [Type of Vehicle = 01, 02, or 03], 2,783,084 had 11-digit VIN numbers and were sent to be VIN decoded. Of these 2,783,084 records, 2.1 million records (2,088,901 specifically) were VIN decoded. Of the 111,282 that did not have 11-digit VINs, 20,299 records had between 7 and 10 digits. A minimum of 7 digits is required to identify make and model. Make and model cannot be identified for the other 90,983.

Among the 2,088,901 VIN decoded records, 177,705 are single vehicle crashes. Of these, 19,226 are sport utility vehicle (SUV) crashes and 10,989 are mid size sport utility crashes. Of the 10,989 mid-size SUV crashes on any road, 2,491 are single vehicle mid-size SUV highway crashes. Of these, 202 are tire-related (about 8 percent) and 2,289 (about 92 percent) are non-tire related single vehicle highway crashes.

The information contained in this document has not yet been presented to congress.

VEHICLE POPULATION FOR ANALYSIS

- SUV single vehicle highway crashes from 1993-2000 (accident years 1993-2000 and all model years).
- SUVs were identified based on three external lists identifying SUVs: (1) J.D. Powers (JDPA) customer satisfaction surveys from the following years: 1999, 1997, 1996, and 1995; (2) NHTSA’s list of SUVs Crash-Tested by NHTSA Model Years 1990-2001, and (3) all SUVs identified in the 2001 Official JDPA Vehicle Segmentation Guide list including the following segments: Entry SUV Segment, Midsize SUV Segment, Full Size

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\(^1\) The latest Crash Date in the database is August 7, 2000.
SUV Segment, and Luxury SUV segment. The complete list of SUVs and the specific SUVs identified in the Florida database are included in Appendix A to this document.

- From the complete SUV list, mid-size SUVs were identified based on two criteria. First, we included vehicles with weights similar to the Ford Explorer. Second, we included all vehicles identified as mid-size in the J.D. Power market segment list (the Ford Explorer is identified as mid size) unless the weight was more similar to the Ford Expedition than to the Ford Explorer. The Explorer weight range is approximately 4600-5600 pounds whereas the Expedition weight range is approximately 6,800 to 7,200 pounds.

**Variable Definitions**

- **Type of Vehicle** - type of vehicle is automobile, passenger van, or pickup/light truck (Type of Vehicle = 01, 02, or 03).
- **Single Vehicle** - number of vehicles involved in the crash is equal to 1 (Total Number of Vehicles).
- **Highway** - Crash occurred on an Interstate, US Highway, Turnpike/Toll (Road System Identifier = 01, 02, or 06).
- **Vehicle Identification Number** - 11-digit VIN used to identify information about a specific vehicle (e.g., make and model) after decoding.
- **Vehicle Make** - Digits 1, 2, and 3 from the VIN number identify vehicle manufacturer, make, and type (e.g., Ford Motor Company, Ford, passenger car).
- **Vehicle Model** - Digits 5, 6, and 7 from the VIN number identify vehicle line and body type (e.g., Taurus GL 4-door sedan).
- **Explorer and Navajo** - For the Explorer, make is Ford and model is Explorer (all types including XL, XLS, etc.). For the Navajo, make is Mazda and model is Navajo.
- **Mid Size SUVs** - all SUV makes and models identified in Appendix A for Florida except the Ford Explorer and the Mazda Navajo.
- **Tire-related Incident** - A tire-related incident is defined as tire puncture/ blowout or worn/smooth tires (1st Vehicle Defect = 03 (worn/smooth tires) or 05 (puncture/blowout) OR 2nd Vehicle Defect = 03 or 05).
- **Rollover** - The first harmful event that took place in the crash is identified as overturned (1st Harmful Event = 04).
- **Fatality Incident** - The crash injury severity is identified as fatal injury (Crash Injury Severity = 5) or the injury severity of the driver is identified as fatal injury (Injury Severity (Driver) = 5).
The pages from the Florida Traffic Crash Database Directory that describe the variables listed above are provided in Appendix B to this document.

**RESULTS**

Table 1 shows the rollover comparison between the Ford Explorer/Navajo and other mid-size SUVs for single vehicle highway tire-related incidents in Florida (202 incidents). The likelihood of a rollover for:

- The Ford Explorer/Mazda Navajo is 81%.
- Other mid-size SUVs is 66%.

The likelihood ratio is 1.236 and the 90% confidence bounds (which shows a 5% test on each side) are 1.075 to 1.422. **This ratio is significantly different than 1.0.** If both vehicles were the same in regards to the tire-related rollover probability, we would expect the ratio to be 1.0. Hence, we conclude that the vehicles are different.

The odds of a rollover for:

- The Ford Explorer/Mazda Navajo is 4.35.
- Other mid-size SUVs is 1.92.

The ratio of the odds is 2.27.
TABLE 1. SINGLE VEHICLE HIGHWAY TIRE RELATED ACCIDENTS IN FLORIDA - ROLLOVER: 1993-2000

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Time Related Single Vehicle Highway Accidents in Florida</th>
<th>Rollover</th>
<th>No Rollover</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explorers and Navajos</td>
<td></td>
<td>74</td>
<td>17</td>
<td>91</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(81.32)</td>
<td>(18.68)</td>
<td>(45.05)</td>
</tr>
<tr>
<td>Other mid-size SUVs</td>
<td></td>
<td>73</td>
<td>38</td>
<td>111</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(65.77)</td>
<td>(34.23)</td>
<td>(54.95)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>147</td>
<td>55</td>
<td>202</td>
</tr>
</tbody>
</table>

Table 2 shows the fatality incident comparison between the Ford Explorer/Navajo and other mid-size SUVs for single vehicle highway tire-related incidents in Florida (202 incidents). The likelihood of a fatality incident for:

- The Ford Explorer/Navajo is 17%.
- Other mid-size SUVs is 6%.

The likelihood ratio is 2.614 and the 90% confidence bounds (which shows a 5% test on each side) are 1.277 to 5.349. This ratio is significantly different than 1.0. If both vehicles were the same in regards to the tire-related fatality incident probability, we would expect the ratio to be 1.0. Hence, we conclude that the vehicles are different.

The odds of a fatal incident for:

- The Ford Explorer/Navajo is 0.197.
- Other mid-size SUVs is 0.067.

The ratio of the odds is 2.94.
<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Tree Related Single Vehicle Highway Accidents in Florida</th>
<th>Fatality Incident</th>
<th>Non Fatality Incident</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explorers and Navajos</td>
<td>15</td>
<td>76</td>
<td>91</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(16.48)</td>
<td>(83.52)</td>
<td>(45.05)</td>
<td></td>
</tr>
<tr>
<td>Other mid-size SUVs</td>
<td>7</td>
<td>104</td>
<td>111</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(6.31)</td>
<td>(93.69)</td>
<td>(54.95)</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>180</td>
<td>202</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX A

SUV Reference List and Mid-Size SUVs Identified in Florida Crash Database (MidSize List = 1)
<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>X &amp; SUV Is in Florida Crash database</th>
<th>X &amp; SUV Is in Texas Crash database</th>
<th>JD Power Market Segment</th>
<th>Gross Weight (Min)</th>
<th>Gross Weight (Max)</th>
<th>Midsize List</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM General</td>
<td>Hummer H2</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Buick</td>
<td>Rendezvous</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Chevrolet</td>
<td>Blazer</td>
<td>X</td>
<td>X</td>
<td>Midsize</td>
<td>4450</td>
<td>5300</td>
<td>1</td>
</tr>
<tr>
<td>Chevrolet</td>
<td>S-10 Blazer</td>
<td>X</td>
<td>X</td>
<td>Midsize</td>
<td>4250</td>
<td>5100</td>
<td>1</td>
</tr>
<tr>
<td>Chevrolet</td>
<td>Trailblazer</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Chrysler</td>
<td>Cirrus</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Dodge</td>
<td>Durango</td>
<td>X</td>
<td>Midsize</td>
<td>6050</td>
<td>6400</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ford</td>
<td>CrossTracer Wagon</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>Ford</td>
<td>Explorer</td>
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<td>X</td>
<td>Midsize</td>
<td>4760</td>
<td>5650</td>
<td>1</td>
</tr>
<tr>
<td>Ford</td>
<td>Ranger SUV</td>
<td>Midsize</td>
<td></td>
<td></td>
<td>4420</td>
<td>5120</td>
<td>1</td>
</tr>
<tr>
<td>GMC</td>
<td>Envoy</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
<tr>
<td>GMC</td>
<td>Jimmy</td>
<td>X</td>
<td>X</td>
<td>Midsize</td>
<td>4450</td>
<td>5300</td>
<td>1</td>
</tr>
<tr>
<td>GMC</td>
<td>Jimmy Sonoma</td>
<td>X</td>
<td>X</td>
<td>Midsize</td>
<td>4450</td>
<td>5300</td>
<td>1</td>
</tr>
<tr>
<td>GMC</td>
<td>JimmyXEnvoy</td>
<td>Midsize</td>
<td></td>
<td></td>
<td>4400</td>
<td>5300</td>
<td>1</td>
</tr>
<tr>
<td>Honda</td>
<td>SUV NAV</td>
<td>Midsize</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td></td>
</tr>
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<td>Honda</td>
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<td>X</td>
<td>Midsize</td>
<td>3958</td>
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<tr>
<td>Isuzu</td>
<td>Axiom</td>
<td>Midsize</td>
<td></td>
<td></td>
<td>3620</td>
<td>4180</td>
<td>1</td>
</tr>
<tr>
<td>Isuzu</td>
<td>Rodeo</td>
<td>X</td>
<td>X</td>
<td>Midsize</td>
<td>4550</td>
<td>4900</td>
<td>1</td>
</tr>
<tr>
<td>Isuzu</td>
<td>RodeoRodeo Sport</td>
<td>X</td>
<td>Midsize</td>
<td>4550</td>
<td>4700</td>
<td></td>
<td></td>
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APPENDIX B

FLORIDA DIRECTORY OF DEFINITIONS FOR VARIABLES USED IN ANALYSIS (NOT ATTACHED)
The Odds of a Ford Explorer / Mazda Navajo Having a Rollover in a Tree-Related Single Vehicle Highway Accident is Higher than Other Midsize SUVs.
The Odds of a Ford Explorer/Mazda Navajo Having a Fatal Incident in a Tire-Related Single Vehicle Highway Accident is Higher than Other Midsize SUVs.

**Attachment 4**

- **Florida** is 2.9 times higher.
- **Texas** is 4.0 times higher.

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TEXAS CRASH DATABASE ANALYSIS

DOCUMENTATION FOR MID-SIZE SUV COMPARISON

JUNE 11, 2001
TEXAS DATABASE OVERVIEW

The results presented in this document are calculated using the State Data System-Texas database of crash incidents. This database was obtained by PA Consulting in March, 2001 from NHTSA. The database contains information on motor vehicle crashes that occurred in the state of Texas in calendar years 1989-1999. It is organized in three relational databases containing information on the Crash, Vehicle and Person.

Only crashes that required police intervention or the provision of emergency services are present in the database, since official reports are only produced if these agencies are involved in the incident. All statistics presented refer only to the population of vehicles involved in the reported incidents, i.e. all statistics are conditional on being in the crash database.

The make and model of the vehicle was identified in the Texas crash database so no VIN decoding of this database was necessary to identify vehicle make and model. The make-model field had no missing values.

The Texas database does not include the Ford Explorer in the database until 1994 so this analysis is limited to crashes that occurred between 1994 and 1999 for all model years.

Of the 6.8 million records in the Texas crash database, 3,305,168 crashes occurred in accident years 1994-1999 and 447,394 are single vehicle crashes. Of these, 22,459 are single vehicle mid-size SUV crashes (about 5%). Of the 22,459, the number of single vehicle mid-size SUV highway crashes is 10,572. Of these, 550 are tire-related (5%) and 10,022 are non-tire related (95%).

The information contained in this document has not yet been presented to congress.

VEHICLE POPULATION FOR ANALYSIS

- SUV single vehicle highway crashes from 1994-1999 (all model years).

- SUVs were identified based on three external lists identifying SUVs: (1) J.D. Powers (JDPA) customer satisfaction surveys from the following years: 1999, 1997, 1996, and 1995; (2) NHTSA's list of SUVs Crash-Tested by NHTSA Model Years 1990-2001, and (3) all SUVs identified in the 2001 Official JDPA Vehicle Segmentation Guide list including the following segments: Entry SUV Segment, Midsize SUV segment, Full Size SUV Segment, and Luxury SUV segment. The complete list of SUVs and the specific SUVs identified in the Texas database are included in Appendix A to this document.

- From the complete SUV list, mid-size SUVs were identified based on two criteria. First, we included vehicles with weights similar to the Ford Explorer. Second, we included all vehicles identified as midsize in the JDPA market segment list (the Ford Explorer is identified as mid size) unless the weight was more similar to the Ford Expedition than to the Ford Explorer.
VARIABLE DEFINITIONS

- Single Vehicle – number of vehicles involved in the crash is equal to 1 (NUM_VEH = 1).
- Highway – Crash occurred on an interstate, US/State Highway, or Tollway (RD_CLASS = 1, 2, or 6)
- Make and Model (MK-MDL) – 3 digit code identifying vehicle manufacturer and model name (MK_MDL). This variable has no missing values.
- Explorer and Navajo - Make and model is equal to Ford Explorer (MK_MDL = 554) or Mazda Navajo (MK_MDL = 468).
- Other Mid Size SUVs – all SUV makes and models identified in Appendix A for Texas except the Ford Explorer and the Mazda Navajo.
- Tire-related Incident – The vehicle defect is identified as defective tires. This field is coded only if the defect was a factor in the crash (VEHICOND1 = 5).
- Rollover – The first harmful event that took place in the crash is identified as overturned (EVENT1 = 9). Note that a second variable is available that can be used in conjunction with the first harmful event to describe the crash in more detail (OBJECT1) which also includes a rollover field. Because this was NOT the first harmful event, the OBJECT1 variable is not used in defining a rollover.
- Fatality Incident – The accident severity is identified as fatal (SEVERITY = 4) or injury severity is killed (INJ = 4).

The pages from the User’s Manual for the State Data System-Texas that describe the variables listed above are provided in Appendix B to this document.

RESULTS

Table 1 shows the rollover comparison between the Ford Explorer/Navajo and other mid-size SUVs for single vehicle highway tire-related incidents in Texas (550 incidents). The likelihood of a rollover for:

- The Ford Explorer/Mazda Navajo is 63.6%.
- Other mid-size SUVs is 52.52%.
The likelihood ratio is 1.211 and the 90% confidence bounds (which shows a 5% test on each side) are 1.074 to 1.366. This ratio is significantly different than 1.0. If both vehicles were the same in regards to the tire-related rollover probability, we would expect the ratio to be 1.0. Hence, we conclude that the vehicles are different.

The odds of a rollover for:

- The Ford Explorer/Mazda Navajo is 1.75
- Other mid-size SUVs is 1.11.

The ratio of the odds is 1.58.

**Table 1. Single Vehicle Highway Tire Related Accidents in Texas-Rollovers: Accident Years 1994-1999**

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Table 2 shows the fatality incident comparison between the Ford Explorer/Navajo and other mid-size SUVs for single vehicle highway tire-related incidents in Texas (550 incidents). The likelihood of a fatality incident for:

- The Ford Explorer/Mazda Navajo is 5.5%. 
- Other mid-size SUVs is 1.4%.

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The likelihood ratio is 3.833 and the 90% confidence bounds (which shows a 5% test on each side) are 1.535 to 9.569. This ratio is significantly different than 1.0. If both vehicles were the same in regards to the tire-related fatality incident probability, we would expect the ratio to be 1.0. Hence, we conclude that the vehicles are different.

The odds of a fatality incident for:
- The Ford Explorer/Mazda Navajo is 0.058.
- Other mid-size SUVs is 0.015.

The ratio of the odds is 3.87.

**TABLE 2. SINGLE VEHICLE HIGHWAY TIRE RELATED ACCIDENTS IN TEXAS-FATALITY INCIDENTS: ACCIDENT YEARS 1994-1999**

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<td>257 (94.5)</td>
<td>272 (49.5)</td>
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<td>274 (98.6)</td>
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APPENDIX A

MID-SIZE SUV REFERENCE LIST AND SUVs IDENTIFIED IN TEXAS CRASH DATABASE (IF MIDSIZE LIST = 1)
## THE Mid-Size SUV List

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APPENDIX B

USER'S MANUAL DEFINITIONS OF VARIABLES USED IN ANALYSIS

(NOT ATTACHED)
### Attachment 5

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<td>Red</td>
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See 2007 RED FEED EXECUTIVE 1998

06/08/2003 PMI 15:00 [TX-RECT NO 75181] 0002
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### Additional Remarks

Seem to be SUV1, Green Chevrolet Blazer.
Attachment 6

VEHICLE TESTING

May, 2001

PURPOSE
VEHICLES

- 1996 Ford Explorer
  - OEM Firestone Tires
  - OEM Goodyear Tires
- 1996 Chevrolet Blazer
- 2000 Ford Explorer
- 2001 Jeep Cherokee
DYNAMIC TESTS

Tests Performed so far:

• Constant 200 ft. Radius
  • Understeer/Oversteer

• Step Steer
  • Response Gains, Response Times, Overshoots

• Sinusoidal Steering Sweep
  • Frequency Response

All testing in linear range of vehicle response.
Instrumentation

Instruments were used to measure the following:

- Vehicle speed
- Lateral Acceleration
- Yaw rate
- Roll angle
- Steering wheel angle
Understeer/Oversteer Gradient in (deg/g)

For a Constant Radius Test

\[ K = \frac{d\delta}{d(a/g)} \] (deg/g)

\( K \): Understeer/Oversteer Gradient in (deg/g)

\( \delta \): Road Wheel Steer Angle
Handwheel Angle Divided by Steering Ratio

\( a \): Lateral Acceleration

\( g \): Gravitational Constant
1996 Explorer w/Firestone Understeer Gradient - Lightly Loaded - 4 Normal Tires

Clockwise K = 2.0741

Counterclockwise K = 2.0144

Radial Stiffness (deg)

Lateral Acceleration (g)
2000 Explorer Understeer Gradient - Lightly Loaded - 4 Normal Tires

 clockwise K = 2.3147

 counterclockwise K = 2.0771

 (180°) x L/R

 - (180°) x L/R

 Lateral Acceleration (g)

 Radial wheel steer angle (deg)
2000 Explorer Understeer Gradient - Lightly Loaded - Left Rear Disabled

Clockwise $K = -1.0556$

Counterclockwise $K = 0.17488$
1995 Blazer Understeer Gradient - Lightly Loaded - 4 Normal Tires

Clockwise $K = 5.1026$

Counterclockwise $K = 3.4778$

Lateral Acceleration (g)

Radial steer angle (deg)
2001 Cherokee Understeer Gradient - Lightly Loaded - Lift Rear Disabled

Clockwise K = 1.5682

Counterclockwise K = 3.2273

Lateral Acceleration (g) vs. Roadwheel Shear Angle (deg)
Conclusions Of Ford’s Analysis Of Explorer
Controllability Following Tread Separation Are:

- Tire deterioration may cause noise and vibration before separation that can serve as a notice to slow down.
- Absent unique factors, an Explorer will not be forced out of control by vehicle factors before, at, or after tread separation.*
- Like all other vehicles, Explorer handling capacity and margin of safety are reduced by tire tread separation.
- The cause of the vehicle handling capacity loss is tire traction loss that cannot be compensated for in vehicle design with current technology.
- Like other SUV’s Explorer handling capacity, even with a separated tire, is sufficient to allow a safe stop.

* Unlikely but possible events including interference with wheels and brake parts and including forces associated with partial separation have been discussed earlier in this presentation.
Results – After tread separation
Full-Vehicle CAE – PCLLC
(all vehicles on Firestone Tires)
Results – Effect of tread separation

Explorers and Peer vehicles

- Explorers and peer vehicles oversteer above approximately 0.45, with tread off of outside rear tire.
- Tread separation on O/S rear tire narrows differences among all vehicles (overwhelms design differences).
- Explorer performance is typical of peer vehicles.

March 28, 2001
Loss Of Control Following Tread Separation
Occurs Because Of Basic Physical Principles

Based on case studies, the typical loss of control circumstances are:

- Extreme rotation in a yaw plane
- Yaw rotation in a final turn with separated tire on outside rear
- This common yaw pattern is seen for all vehicle types
  - Passenger cars and light trucks
  - Front wheel drive, rear wheel drive, and all wheel drive
  - Large size and weight, small size and weight
  - No differences among vehicles with various tire brands, type and sizes

The underlying cause of loss of control is that tire traction decreases so that forces and moments cannot be balanced for some steering demands. This fundamental cause overwhelms differences in design among vehicle classes or within vehicle classes. Explorers perform like all other vehicles.
Explorer Rear GAWR Changes by Year

- 4x2 2-door
- 4x2 4-door
- 4x4 2-door
- 4x4 4-door

Source: Gasoline Truck Index, Truck Index, Inc.
Chart #11

The weight of the Explorer increased to its highest levels in all models during 1995 and 1996 model years.
Chart #15

Florida Single Vehicle Highway Non-Tire-Related Rollover Crash Rates by Model Year, Accident Years 1993-2000

- Explorer/Navajo
- All Other Midsize SUVs

Non-Tire-Related Rollover Crash Rate

Model Year
- 1994
- 1995
- 1996
- 1997
- 1998
- 1999
- Total

Accident Years
- 2000
- 1999
- 1998
- 1997
- 1996
- 1995
- 1994
Attachment 5

FLORIDA CRASH, ROLLOVER, AND FATAL ACCIDENT RATES BASED ON VEHICLE REGISTRATIONS

DOCUMENTATION

JUNE 11, 2001
FLORIDA DATABASE OVERVIEW

The analyses in this document are based on the Florida Traffic Crash Database. The Florida Traffic Crash Database contains information on motor vehicle crashes that occurred in the state of Florida in calendar years 1993-1999, and through the first three quarters of 2000. It is organized in seven relational databases containing information on the Event, Vehicle, Driver, Pedestrians, Violations, Passengers and D.O.T Site Location.

Only crashes that required police intervention or the provision of emergency services are present in the database, since official reports are only produced if these agencies are involved in the incident. All statistics presented refer only to the population of vehicles involved in the reported incidents, i.e. all statistics are conditional on being in the crash database.

To identify the specific vehicle make and model, a VIN decoder was used. The analyses presented here are based on VIN decoding of the database by Firestone. Firestone utilizes a POLK VIN decoder, a commercially available VIN decoder.

Of the 2,894,366 records in the Florida database that are vehicle type automobile, passenger van, or pickup/light truck (2 rear tires) [Type of Vehicle = 01, 02, or 03], 2,783,084 had 11-digit VIN numbers and were sent to be VIN decoded. Of these 2,783,084 records, 2.1 million records (2,088,901 specifically) were VIN decoded. Of the 111,282 that did not have 11-digit VINs, 20,299 records had between 7 and 10 digits. A minimum of 7 digits is required to identify make and model. Make and model cannot be identified for the other 90,983.

Among the 2,088,901 VIN decoded records, 177,705 are single vehicle crashes. Of these, 19,226 are sport utility vehicle (SUV) crashes and 10,989 are mid-size sport utility crashes. Of the 10,989 mid-size SUV crashes on any road, 2,491 are single vehicle mid-size SUV highway crashes. Of these, 202 are tire-related (about 8 percent) and 2,289 (about 92 percent) are non-tire related single vehicle highway crashes.

The analysis presented here examines single-vehicle-highway crash and rollover rates for Ford Explorers, a specific set of SUVs, and other mid-size SUVs for accident years 1993-2000. This analysis is based on crashes that occurred in Florida for vehicles registered in Florida.

POLK REGISTRATION DATA

The vehicle registration numbers for Florida are based on POLK registration data by vehicle make and model by registration year (July 1 of that year) and vehicle-model year. These data were obtained from Firestone. Vehicle registrations are presented by vehicle-model year for the period 1993-2000. For example, a 1994 vehicle could be registered for up to 8 years over the 1993-2000 time period (due to lag between model year and calendar year). If a vehicle is registered in each of those registration years, the vehicle is counted 8 times.
For model year 1994-2000 vehicles registered between 1993 and 2000, the market share for:

- Ford Explorer/Mazda Navajo is 27%, and
- Other Mid-size SUVs is 73%.

**Computing Crash and Rollover Rates**

To ensure consistency between the Florida crash database and the Polk registration data for computing rates, the results presented in this document are based on single vehicle midsize SUV highway crashes and rollovers for the accident years 1993-2000 and vehicle-model years 1994-2000 for vehicles registered in the state of Florida only. Crashes that occurred in Florida for vehicles registered in other states are not included in this analysis because those vehicles are not counted in the Polk registration data for Florida.

**Format of Tables**

Results are presented as follows:

- Table 1 presents single vehicle highway crashes;
- Table 2 presents single vehicle highway tire-related crashes;
- Table 3 presents single vehicle highway tire-related rollovers;
- Table 4 presents single vehicle highway non-tire related rollovers;
- Table 5 presents single vehicle highway crash fatalities;
- Table 6 presents single vehicle highway tire-related crash fatalities; and
- Table 7 presents registration by model year (based on Polk data).

Each table has three parts – counts (of crashes, rollovers, etc.), vehicle registrations, and rates (crash/registration, for example).

- **Counts.** The first part of each table shows the number of single vehicle midsize SUV highway crashes or rollovers (this varies by table) for 10 selected SUVs - Chevy Blazer, Jeep Cherokee, Ford Explorer, Mazda Navajo, Toyota 4Runner, Nissan Pathfinder, Isuzu Rodeo, Jeep Grand Cherokee, GMC Jimmy, and Isuzu Trooper. - for the accident years 1993-2000 and for model years 1994-2000 in Florida. A specific comparison between the Ford Explorer/Mazda Navajo SUV and all other midsize SUVs is also provided.

- **Registrations.** The second part of each table shows the number of registered vehicles in Texas by vehicle-model year for 10 selected SUVs. A specific comparison between the Ford Explorer/Mazda Navajo and all other midsize SUVs is also provided.

- **Rates.** The third part shows the "rates" in Florida by vehicle-model year for the 10 selected SUVs. A specific comparison between the Ford Explorer/Mazda Navajo and all other midsize SUVs is also provided.
VARIABLE DEFINITIONS

- Type of Vehicle – type of vehicle is automobile, passenger van, or pickup/light truck (2 rear tires) (Type of Vehicle = 01, 02, or 03).
- Single Vehicle – number of vehicles involved in the crash is equal to 1 (Total Number of Vehicles).
- Highway – Crash occurred on an Interstate, US Highway, Turnpike/Toll (Road System Identifier = 01, 02, or 06)
- Vehicle Identification Number – 11-digit VIN used to identify information about a specific vehicle (e.g., make and model) after decoding.
- Vehicle Make – Digits 1, 2, and 3 from the VIN number identify vehicle manufacturer, make, and type (e.g., Ford Motor Company, Ford, passenger car).
- Vehicle Model – Digits 5, 6, and 7 from the VIN number identify vehicle line and body type (e.g., Taurus GL 4-door sedan).
- Explorer and Navajo – For the Explorer, make is Ford and model is Explorer (all types including XL, XLS, etc.). For the Navajo, make is Mazda and model is Navajo.
- Mid Size SUVs – all SUV makes and models identified in Appendix A for Florida except the Ford Explorer and the Mazda Navajo.
- Tire-related Incident – A tire-related incident is defined as tire puncture/blowout or worn/smooth tires (1st Vehicle Defect = 03 (worn/smooth tires) or 05 (puncture/blowout) OR 2nd Vehicle Defect = 03 or 05).
- Rollover – The first harmful event that took place in the crash is identified as overturned (1st Harmful Event = 31).
- Fatality Incident – The crash injury severity is identified as fatal injury (Crash Injury Severity = 5) or the injury severity of the driver is identified as fatal injury (Injury Severity [Driver] = 5).
- Vehicle Registration – The state of registration (USPS abbreviations for states in capital letters).
RESULTS

Table 1 shows single vehicle highway crash counts, registrations, and crash rates for 10 specific SUVs and also compares crash rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year. The focus of this discussion is on the rates at the bottom on the page.

• When compared one-on-one to other specific SUVs, the Ford Explorer is better than some and worse than some in terms of crash rates.
• When compared to mid-size SUVs as a group, the Ford Explorer/Navajo crash rates are particularly higher in model years 1996 and 1997.
• When compared to itself, the Ford Explorer crash rates are highest in model years 1996 and 1997.

Table 2 shows the single vehicle highway tire-related crash counts, registrations, and crash rates for 10 specific SUVs and also compares tire-related crash rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year. The focus of this discussion is on the rates at the bottom on the page.

• When compared one-on-one to other specific SUVs, the Ford Explorer tire-related crash rates are among the highest in almost every single model year.
• When compared to other mid-size SUVs as a group, the Ford Explorer/Navajo tire-related crash rates are far higher in model years 1996, 1997, and 1998.
• When compared to itself, the Ford Explorer tire-related crash rate is highest in model years 1996 and 1997.

Consistent with the vehicle test results, once a tire problem occurs, the 1996 and 1997 Ford Explorer performs worse than other mid-size SUVs as a group and worse than particular SUVs in one-on-one comparisons.

Table 3 shows the single vehicle highway tire-related rollover counts, registrations, and rollover rates for 10 specific SUVs and also compares tire-related rollover rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year. The focus of this discussion is on the rates at the bottom on the page.

• When compared one-on-one to other SUVs, the Ford Explorer is worse than each of the other SUVs (except the 4Runner in 1996) in terms of tire-related rollover rates in model years 1996 and 1997.
When compared to other mid-size SUVs as a group, the Ford Explorer/Navajo tire-related rollover rates are far higher in model years 1996, 1997, and 1998.

When compared to itself, the Ford Explorer tire-related crash rate is highest in model years 1996 and 1997.

Consistent with the vehicle test results, once a tire problem occurs, specific Ford Explorer model years (in this case, the 1996 and 1997 Ford Explorers) perform far worse than other mid-size SUVs as a group and in most one-on-one comparisons.

Table 4 shows the single vehicle highway non-tire related rollover counts, registrations, and rollover rates for 10 specific SUVs and also compares non-tire related rollover rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year. The focus of this discussion is on the rates at the bottom of the page.

When compared one-on-one to other SUVs, the Ford Explorer is either the worst performer or among the worst in terms of rollover rates.

When compared to other mid-size SUVs as a group, the Ford Explorer/Navajo non-tire related rollover rates are about twice as high in model years 1995, 1996, 1997, and 1998.

When compared to itself, the Ford Explorer non-tire related rollover rate is highest in model years 1996 and 1997.

Hence, when a tire-related problem does not occur, the Ford Explorer is a worse performer than other midsize SUVs in terms of rollover rates.

Table 5 shows the single vehicle highway fatal accident counts, registrations, and fatal accident rates for 10 specific SUVs and also compares fatal accident rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year.

When compared one-on-one to other SUVs, the Ford Explorer is better than some and worse than some in terms of fatal accident rates.

When compared to other mid-size SUVs as a group, the Ford Explorer/Navajo fatal accident rates are more than twice as high in model years 1996, 1997, and 1998.

When compared to itself, the Ford Explorer fatal accident rate is highest in model years 1994, 1996, and 1997.
Table 6 shows the single vehicle highway tire-related fatal accident counts, registrations, and fatal accident rates for 10 specific SUVs and also compares tire-related fatal accident rates between the Ford Explorer/Navajo and all other midsize SUVs in Florida by model year. The numbers are very small for this analysis.

- When compared one-on-one to other SUVs, the Ford Explorer is typically the worst performer in terms of tire-related fatal accident rates.
- When compared to other mid-size SUVs as a group, tire-related fatal accidents only occurred on Ford Explorers in 1996, 1997, and 1998.
- When compared to itself, the Ford Explorer fatal accident rate is highest in model years 1994, 1996, and 1997.

Table 7 presents the Polk registration data by vehicle model year. Among mid-size SUVs for model years 1994-2000, Ford Explorer/Grand Navajos comprise about 27% of the market share.
Appendix A

**Mid-Size SUV Reference List and SUVs Identified in Florida Crash Database (If Midsize List = 1)**
THE Mid-Size SUV LIST

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<th>Model</th>
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<th>X if SUV is in Texas Crash database</th>
<th>JD Power Market Segment</th>
<th>Gross Weight (Min)</th>
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#### Number of Registered Vehicles between 1993-2000 for Explorer/Navajos and Other Midsize SUVs

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#### Crash Rates in Florida by Vehicle Type & Model Year

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<td>0.07%</td>
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### Table 2

**Florida - Midsize SUVs, Single Vehicle Highway, Tire Related Crashes (Accident Years 1993 - 2000)**

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### Number of Registered Vehicles between 1993-2000 for Selected SUVs (by Model Year) - Polk Data

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### Number of Registered Vehicles between 1993-2000 for Explorer/Navajo and other Midsize SUVs (by Model Year) - Polk Data

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### Tire Related Crash Rates in Florida by Vehicle Type & Model Year (Tire Related Crashes/Registered)

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(Accident Years 1993 - 2000)

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Number of Registered Vehicles between 1993-2000 for Selected SUVs
(by Model Year) - Polk Data

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Number of Registered Vehicles between 1993-2000 for Explorer/Navajos and other Midsize SUVs (by Model Year) - Polk Data

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Non-Tire Related Rollover Rates in Florida by Vehicle Type & Model Year
(Non-Tire Related Rollovers/Registered)

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| Exploren/Navajo | 1    | 2    | 13   | 8    | 6    | 3    | 0    | 41   |
| All Other Midsize SUVs | 15   | 17   | 11   | 8    | 7    | 2    | 1    | 56   |

#### Number of Registered Vehicles between 1992-2000 for Selected SUVs

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#### Number of Registered Vehicles between 1993-2000 for Explorren/Navajo and other Midsize SUVs (by Model Year) - Polk Data

| Explorren/Navajo | 121,952| 79,039| 148,754| 96,313| 80,292| 44,514| 16,038| 188,841|
| All Other Midsize SUVs | 920,323| 399,719| 529,924| 240,972| 250,031| 157,520| 75,969| 1,593,745|
| Total            | 442,875| 438,638| 405,025| 347,265| 283,323| 192,553| 87,002| 2,185,583|

#### Fatal Accident Rates in Florida by Vehicle Type and Model Year

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| Explorren/Navajo   | 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000|
| All Other Midsize SUVs | 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000| 0.0000|
## Table 6
Florida - Midsize SUVs, Single Vehicle Highway, Tire Related Fatal Accidents (Accident Years 1993 - 2000)

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### Number of Registered Vehicles between 1993-2000 for Selected SUVs (by Model Year) - Polk Data

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<td>42,470</td>
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<td>6,970</td>
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<tr>
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### Number of Registered Vehicles between 1993-2000 for Explorer/Navajos and other Midsize SUVs (by Model Year) - Polk Data

| Explorer/Navajo | 127,953 | 79,099 | 149,734 | 86,313 | 80,292 | 44,514 | 18,063 | 586,941 |
| All other Midsize SUVs | 320,022 | 292,718 | 256,024 | 250,812 | 225,031 | 127,520 | 70,966 | 1,589,754 |

### Tire Related Fatal Accident Rates in Florida by Vehicle Type & Model Year (FatRelated Fatalities/Registered)

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**All Midsize SUVs**

|               | 441,975 | 439,816 | 405,858 | 347,785 | 263,983 | 182,004 | 87,002 | 2,192,868 |

**Explorer/Navajo**

|               | 421,903 | 79,090 | 148,734 | 98,313 | 80,260 | 44,514 | 16,036 | 585,941 |

**All Other Midsize SUVs**

|               | 200,022 | 259,719 | 256,924 | 250,972 | 203,651 | 137,620 | 70,666 | 1,299,754 |

**Total**

|               | 441,975 | 439,816 | 405,858 | 347,785 | 263,983 | 182,004 | 87,002 | 2,192,868 |
Attachment 6

From: CMBTHN - DMBNO1
To: KSTORMAN - DMBNO1, R. F. Storman

FROM: Charles Voits
Subject: UG6 Design Revisions

It will be very hard to live without any 2-Door for 6 months. Is there any plan that goes to 2-Door with extraordinarily affects from certain activities? In other words, what would it take to make job #1 for the 2-Door at 1991 1/2 as currently planned?

A time line with the key events is what is needed to show this I think. Cover each change separately so everyone can see the events and timing involved closely. Cover 2-Door and 4-Door separately.

I support the plan as laid out, but I would like to know if there is a way to get 2-Door for 1991 1/2 or #1 (or perhaps only a 60 day delay).

As soon and have the prior sectorial (post results, etc.) available for the upcoming one with JER and I need the remainder, I'm going 1/3, 1/4, inclusive.

--- forwarding from EWMAN - DMBNO1 04/26/89 08:14 ---

To: CMBTHN - DMBNO1

FROM: Roger F. Storman

Subject: UG6 Design Revisions

Attached is a 'streamer' currently being reviewed with the multi-discipline group working on UG6 revisions. I believe execution of this plan would assure good performances in '92 test and also allow an 'on time' launch of UG6 (albeit somewhat restricted on models and tires). We have much to do before we can confirm this plan but I believe this is the direction we are currently heading.

JER will not be available for at least two weeks so we will have meeting with you, Koppa and JER early.

Regards,

Roger F. Storman

--- forwarding from EWMAN - DMBNO1 04/26/89 08:14 ---

To: SCAPBRE - DMBNO1, RIKLEFOS - DMBNO1, PAMKOS - DMBNO1, HAYES - DMBNO1

FROM: Roger F. Storman

Subject: UG6 Design Revisions

Based on feedback to date, from the various areas affected by the proposed change, I am proposing the following 'streamer'. I believe this proposal will assure good performance in the '92 test and minimize any adverse Public Relations risk.

Job #1: Release & Dr. Only, with base P255 AS Tires. Include the following design modifications:

- Lower front spring rates (from local upgrade req'd),
- Lower rear and rear 1/2 through frame/yokes bumper revisions, Interchange should not be an issue with tires usage restricted to P255 Only.

1991 Job #1: Add P255 at PS405 AS Tires to the Dr. and release the 2 Dr. with P255 AS tires coincident with incorporation of the following revisions:

- Lower front Ball Camber
- Newer Wheel house to accommodate 1/2 lower with large tires

1991 1/2 Job #1: Add P255 at PS405 AS Tires to the 2 Dr. coincident with incorporation of the following design changes:

- Lower Track (center)
- Revise FEM to accommodate wide track with large tires.

I'd like your thoughts on this proposal. We will need to revisit after APC test results are available (7/24).

Regards,

Roger F. Storman

cc: RIKLEFOS - DMBNO1, JMBNO1, J. E. Englehert

FROM: DMBNO1, RIKLEFOS - DMBNO1, CMBTHN - DMBNO1, RIKLEFOS - DMBNO1

EXP 0579
EXP 0578
Attachment 7

STATEMENT OF DR. DENNIS A. GUENTHER

I have been asked by counsel for Bridgestone/Firestone to carry out an investigation of the directional control of the Ford Explorer following a tire tread separation. That investigation includes accident reconstruction, review of police accident reports, vehicle measurement, and dynamic testing. I am presenting today the preliminary results of my dynamic testing; that testing is ongoing. My resume is attached to this statement as Exhibit 1.

The hypothesis addressed in my testing is that the Explorer has a control problem leading to rollover crashes following tread separation. I chose to explore the linear range of vehicle operation as a preliminary investigation because of the complexities and non-linearity of vehicles.

A description of the dynamic testing I have conducted is set forth below.

Test Site

The tests were carried out at the Transportation Research Center, Inc. (TRC) test facility near East Liberty, Ohio. The facility is used on a contract basis by automobile manufacturers, component suppliers, and state and national regulatory authorities to conduct automotive safety testing.

Study Objectives

The purpose of the testing program, which is ongoing, is to examine the margin of control in the Explorer as designed and, comparatively, in peer SUVs in the circumstance following rear tire tread separation. As noted above, I have conducted my study to this point in the linear range. In the linear range a principal parameter of control is the understeer/oversteer gradient (other parameters such as steering response time and gain, and steering frequency response are also being examined as they may relate to loss of control in the event of tire tread separation).
Test Vehicles

The vehicles evaluated are the following:

<table>
<thead>
<tr>
<th>Year</th>
<th>Model</th>
<th>Drives</th>
<th>Engine</th>
</tr>
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<tbody>
<tr>
<td>1996</td>
<td>Ford Explorer</td>
<td>4 dr</td>
<td>4 x 2</td>
</tr>
<tr>
<td>1996</td>
<td>Chevy Blazer</td>
<td>4 dr</td>
<td>4 x 2</td>
</tr>
<tr>
<td>2001</td>
<td>Jeep Cherokee</td>
<td>4 dr</td>
<td>4 x 2</td>
</tr>
<tr>
<td>2000</td>
<td>Ford Explorer</td>
<td>4 dr</td>
<td>4 x 2</td>
</tr>
</tbody>
</table>

Each vehicle was tested with its original equipment (OE) tires. The 1996 Explorer was tested with both OE Firestone tires and OE Goodyear tires recommended by Ford.

Vehicle Instrumentation and Measurement

The data acquired for purposes of this analysis was the following:

**Vehicle Input**
- Steering Wheel Angle
- Vehicle Speed

**Vehicle Response**
- Lateral Acceleration
- Yaw Rate
- Body Roll Angle

The instrumentation and sensors used to acquire this data is identified in Exhibit 2.

Test Maneuvers

The tests conducted are universally recognized standard tests used by automobile manufacturers, including Ford, and other researchers in vehicle dynamics for establishing the values investigated. The tests are as follows:

- **Step Steer**
  The vehicle is driven on the test pad area in a straight line at a constant speed. The driver then rapidly turns the steering wheel until it hits a mechanical

2
stop. Steering wheel stops are set to attain a desired lateral acceleration at the test speeds. This steer angle is held until steady-state response is established.

Tests were run in both directions (right turn/left turn) and at two speeds (60 mph and 40 mph). The test was run both with four good tires and with the left rear tire detreaded by cutting between the steel belts; test runs with the detreaded tire were done only at the slower 40 mph speed. Test runs were done at both light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating).

The test is used to measure vehicle response times as related to lateral acceleration and yaw velocity response, and to measure the gain of these responses in relation to steering wheel input (output divided by input).

- **Constant Radius Circle**

  The vehicle is driven around a 200 foot constant radius circle with increasing speed. The driver adjusts the steering angle (by turning the steering wheel) as necessary to keep the vehicle on the path of the circle.

  Test runs were done in both directions, clockwise and counter-clockwise, with four good tires and with the left rear tire detreaded. Test runs were done at light load (curb plus driver and instrumentation) and heavy load (gross vehicle weight rating).

  The test is used to measure understeer and oversteer (degrees of road wheel steer per Gs of lateral acceleration).
Frequency Response

Sinusoidal sweep steering tests are frequently used to determine the linear response of vehicles. The vehicle in these tests were driven on a long straightaway with the driver steering with slowly increasing frequency up to approximately 3 to 4 Hz followed by decreasing frequency. The test was run at a nominal speed of 66 mph.

The test measures lateral acceleration gain, yaw velocity gain, and phase angles at the frequencies tested (up to 3 to 4 Hz).

Results of Directional Control Tests

The results of the constant radius circle tests are set forth in data sheets and charts attached hereto as Exhibit 3. Data reduction continues with respect to the step steer and frequency response tests.

In summary, the findings in the tests are as follows:

Constant Radius Circle – This standard method of measuring understeer/oversteer gradient establishes that the Explorer, with four good tires, has a relatively small amount of understeer compared to other SUVs – less than half the amount found in the Blazer and the Cherokee. In fact, the Cherokee has about the same understeer with a retreaded tire as the Explorer with four good tires.

The test results show that, unlike the other SUVs tested, the Explorer loses its small margin of understeer when it experiences a tread separation and becomes an oversteer vehicle.

This is true whether the Explorer is operated on Goodyear OE tires recommended by Ford or on Firestone OE tires.
The Explorer's oversteer characteristic is worse in the loaded condition. The only circumstance in which it does not become oversteer with a detreaded tire is when it is lightly loaded (curb plus driver and instrumentation) and the detreaded tire is on the inside rear position (left rear in a counter-clockwise turn); in test runs in that configuration the Explorer is almost neutral steer with respect to the understeer/oversteer gradient.

An oversteer vehicle is not safe at highway speeds in the hands of an average driver. Sometimes a driver may achieve directional control, sometimes a driver may not, particularly where the driver has to deal with the unfamiliar and unpredictable oversteer handling. The oversteer control problem is increased by virtue of the fact that the Explorer driver is used to a vehicle which is understeer and the vehicle has changed to oversteer without the driver's awareness.

CONCLUSION

The Explorer is an oversteer vehicle in most circumstances after it experiences tread separation. Oversteer can make a vehicle directionally unstable and subject to loss of control in the hands of most drivers. This is a vehicle problem, not a tire problem. The vehicle performs the same following tread separation on the Goodyear tire as it does the Firestone tire. This must be regarded as a highway safety defect within the meaning of the National Highway Traffic and Motor Vehicle Safety Act.
Chart #16

Linear Range Understeer Gradients

- 2001 Cherokee
- 1998 Blazer
- 2000 Explorer
- 1996 Explorer w/Goodyear
- 1996 Explorer w/Firestone

Understeer Gradient (deg/g)
Chart #17

Linear Range Understeer Gradients

Understeer Gradient (deg/g)

-2.0 -1.0 0.0 1.0 2.0 3.0 4.0 5.0 6.0

2001 Cherokee
1999 Blazer
2000 Explorer
1999 Explorer w/Goodyear
1999 Explorer w/Firestone

- Lightly Loaded 4 Normal Tires CCW
- Lightly Loaded 4 Normal Tires CW
- Lightly Loaded Left Rear Detreaded CCW
- Lightly Loaded Left Rear Detreaded CW
- GVWR 4 Normal Tires CCW
- GVWR 4 Normal Tires CW
- GVWR Left Rear Detreaded CCW
- GVWR Left Rear Detreaded CW
Documented Ford Explorer Rollover Accidents on Competitive Tires in Venezuela From May '00-June '01

Tire Brand (Firestone not represented)

Source: Venezuelan Judicial Inspections
Manufacturers represented include the following: BF Goodrich, Continental, Dunlop and Goodyear
Explorer: A Growing Problem
Explorer Incident Severity Disproportionate to Production

- Production (374,082,626) 1991-2000
  - Explorer: 89%
  - Other SUV: 3%
  - Non SUV: 8%

- Tread Separations
  - Explorer: 66%
  - Other SUV: 8%

- Crashes
  - Explorer: 41%
  - Other SUV: 10%

- Rollovers
  - Explorer: 24%
  - Other SUV: 11%
  - Non SUV: 11%
SCRAP TREAD SURVEY – TUSCON, AZ 05/23/01

FINDINGS:

<table>
<thead>
<tr>
<th>BRAND</th>
<th>COUNT</th>
<th>SHARE</th>
<th>US MARKET SHARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>BF</td>
<td>35</td>
<td>19%</td>
<td>21%</td>
</tr>
<tr>
<td>GOOD YEAR</td>
<td>29</td>
<td>13%</td>
<td>29%</td>
</tr>
<tr>
<td>CONTINENTAL</td>
<td>26</td>
<td>11%</td>
<td>7%</td>
</tr>
<tr>
<td>Cooper</td>
<td>13</td>
<td>7%</td>
<td>6%</td>
</tr>
<tr>
<td>Kumho</td>
<td>5</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Yokohama</td>
<td>3</td>
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<td>1%</td>
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<tr>
<td>Firestone</td>
<td>2</td>
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<tr>
<td>Koober</td>
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<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Cheng</td>
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<td>0%</td>
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<tr>
<td>Federal</td>
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<td>0%</td>
<td>0%</td>
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<tr>
<td>Cordovan</td>
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<td>0%</td>
<td>0%</td>
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<td>Toyo</td>
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<td>0%</td>
<td>0%</td>
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<tr>
<td>Bridgestone</td>
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<td>Westlake</td>
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<td>0%</td>
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<td>Academy</td>
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<tr>
<td>Hankook</td>
<td>1</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>229</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

NOTES:
1) US MARKET SHARE FROM “TIRE BUSINESS”
2) 70 UNKNOWN – NOT BFS
   - MANUFACTURER/BRAND/PATTERN NOT IDENTIFIED
   - WOULD INCREASE COMPETITOR SCRAP SHARE

1) Waiting for correct info from Laurie
### Number of Service Bulletins by Vehicle - Model Year 1994-2001

<table>
<thead>
<tr>
<th>MODEL</th>
<th>Suspension</th>
<th>Brake</th>
<th>Steering</th>
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<tr>
<td>Ford</td>
<td>Explorer</td>
<td>121</td>
<td>82</td>
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<td></td>
<td>Ranger</td>
<td>61</td>
<td>79</td>
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<td></td>
<td>F150</td>
<td>27</td>
<td>59</td>
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<tr>
<td>GM</td>
<td>Blazer</td>
<td>3</td>
<td>6</td>
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<td></td>
<td>Suburban</td>
<td>0</td>
<td>31</td>
</tr>
<tr>
<td>Toyota</td>
<td>4Runner</td>
<td>3</td>
<td>14</td>
</tr>
</tbody>
</table>

### Explorer - Number of Service Bulletin

- **Suspension**
  - Vehicle lean
  - Unusual negative camber cannot be adjusted.
  - (New springs needed)

- **Brake**

- **Steering**

- **Suspension**

Vibration at highway speeds.
Engineer is currently investigating this issue.
MEMORANDUM
June 19, 2001

As part of its presentation to both the Commerce, Trade and Consumer Protection and Oversight and Investigations Subcommittees of the House Committee on Energy and Commerce, Bridgestone/Firestone, Inc. would like to submit the enclosed evidence relating to accidents involving the Ford Explorer in Venezuela. This evidence supports our position that the Ford Explorer is not a stable vehicle, regardless of which tires are mounted on the vehicle.

Here is a brief explanation of each category of evidence we are submitting:

1. A VHS videocassette tape (approximately 8 minute running time). The cassette shows how Ford responded to certain Explorer Rollover Accidents: in approximately April 2000, Ford of Venezuela sent letters to some Ford Explorer owners in Venezuela. The letters invited them to come to Ford dealerships for a suspension upgrade— at a cost to each owner of approximately $400-500 for the full upgrade. The tape shows before and after images of the underside of a Ford Explorer sent to a Ford dealership for the upgrade. The upgrade package included the addition of new front and rear shock absorbers, a heavy reinforcing steel bar and the substitution of Goodyear Wrangler tires. The audio portion is in Spanish; a translation is forthcoming.

2. 43 Venezuelan Judicial Inspections. The judicial inspections are records of evidence notarized and validated by a judge. Under Venezuelan legal rules, physical evidence, such as damaged vehicles can be admitted in court only if a Venezuelan judge, accompanied by an expert such as a mechanic as well as a photographer, has personally viewed the damaged vehicle to confirm its condition. At the request of Bridgestone/Firestone Venezuela, Venezuelan judges visited the wreckage of 43 Ford Explorers that have been involved in rollover accidents since May 1, 2000, in order to verify the condition of the vehicle and the brand and condition of the tires fitted on those vehicles. The inspections show that Ford Explorers are continuing to rollover in Venezuela (at an alarming rate), regardless of the changeover from Firestone to Goodyear tires. In order to facilitate review of this voluminous evidence, enclosed is a chart and a spreadsheet listing the key aspects of each judicial inspection.
3. A letter dated September 20, 2000, from Bridgestone/Firestone, Inc. senior counsel John Harrington to Ford attorney Richard Coetz (then present at Ford of Venezuela) requesting rollover crash and claims statistics for the Ford Explorer as well as information on the suspension changes to the vehicle. Bridgestone/Firestone never received a response to this request.

We urge you to review this material carefully. We believe that this material constitutes incontrovertible evidence of Ford Explorer’s instability, regardless of the tires fitted on it, and that Venezuelans are continuing to suffer the consequences for that instability. Thank you for your time.
<table>
<thead>
<tr>
<th>No.</th>
<th>Judicial Inquest #</th>
<th>Vehicle</th>
<th>License Plate</th>
<th>Date of Impact</th>
<th>Type of Accident</th>
<th>Tires Mounted</th>
<th>Notes</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>3367</td>
<td>Ford Explorer XLT 4x4</td>
<td>GAT 36P</td>
<td>6/12/2000</td>
<td>Roll over</td>
<td>Continental Contis: MLS LT235/75 R15 (All)</td>
<td>Passenger front deflated but tread intact on all.</td>
</tr>
<tr>
<td>2</td>
<td>5423000</td>
<td>Ford Explorer XLT 4x2</td>
<td>OAD 41H</td>
<td>8/7/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS P265/70 R16 (All)</td>
<td>Driver front tire deflated, but tread intact on all.</td>
</tr>
<tr>
<td>3</td>
<td>1483</td>
<td>Ford Explorer</td>
<td>DAZ 89F</td>
<td>5/9/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler: RTS LT235/75 R15 (All)</td>
<td>All four tires inflated and tread intact, but CV spare flat (tread intact)</td>
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<tr>
<td>4</td>
<td>3370</td>
<td>Ford Explorer 4x2</td>
<td>GAU 37E</td>
<td>6/17/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (All)</td>
<td>Driver side front deflated, but tread intact on all.</td>
</tr>
<tr>
<td>5</td>
<td>2347-2000</td>
<td>Ford Explorer XLT 4x4</td>
<td>GAT-370</td>
<td>8/24/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS P265/70 R16 (All)</td>
<td>Front tire flat, all tires with tread intact.</td>
</tr>
<tr>
<td>6</td>
<td>2465-01</td>
<td>Ford Explorer XLT 4x2</td>
<td>VAI-770</td>
<td>9/25/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS P265/70 R16 (All)</td>
<td>Driver rear punctured and deflated, but tread intact on all.</td>
</tr>
<tr>
<td>7</td>
<td>3377</td>
<td>Ford Explorer XLT 4x4</td>
<td>GBH-88A</td>
<td>9/30/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (All)</td>
<td>All four tires inflated and tread intact.</td>
</tr>
<tr>
<td>8</td>
<td>1493</td>
<td>Ford Explorer XLT 4x2</td>
<td>AAR-32A</td>
<td>9/7/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (All)</td>
<td>All four tires inflated and tread intact.</td>
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<tr>
<td>9</td>
<td>3382</td>
<td>Ford Explorer XLT 4x2</td>
<td>GAG-41C</td>
<td>9/25/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (All)</td>
<td>All four tires inflated and tread intact.</td>
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<tr>
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<td>3394</td>
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<td>GAG-51H</td>
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<td>Goodyear Wrangler RTS P265/70 R16 (All)</td>
<td>Three tires deflated, all treads intact.</td>
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<td>1770</td>
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<td>10/16/2000</td>
<td>Roll over</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (All)</td>
<td>Passenger front tire deflated, but all treads intact.</td>
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<td>17</td>
<td>1/2/2001</td>
<td>Ford Explorer XLT 4x4</td>
<td>KAH-84A</td>
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<td>Rollover</td>
<td>BF Goodrich P275/55 R15 (all)</td>
<td>All four tires inflated and tread intact.</td>
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<td>18</td>
<td>1/2/2001</td>
<td>Ford Explorer XLT 4x4</td>
<td>ASB-29R</td>
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<td>Rollover</td>
<td>Goodyear Wrangler ATS LT235/75 R15 (all)</td>
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<td>Rollover</td>
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<tr>
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<td>Vehicle Type</td>
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<td>Type of Accident</td>
<td>Notes</td>
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<td>1560</td>
<td>Ford Explorer XLT 4x2</td>
<td>GA779H</td>
<td>3/22/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75R15 (P) All four tires inflated (one depressed into sand) and treads intact</td>
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<td>2463-01</td>
<td>Ford Explorer XLT 4x4</td>
<td>DMH-43U</td>
<td>3/24/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P225/70R16 (all) All four tires inflated and treads intact</td>
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<td>2466-01</td>
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<td>DAM-21N</td>
<td>3/30/2001</td>
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<td>Goodyear Wrangler RTS P225/70R16 (all) All four tires inflated and treads intact</td>
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<td>568-01</td>
<td>Ford Explorer 4x2</td>
<td>BAN-132</td>
<td>4/3/2001</td>
<td>Rollover</td>
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<td>Ford Explorer 4x2</td>
<td>DBA-552</td>
<td>4/24/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75R15 (all) All four tires inflated and treads intact</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>243-01</td>
<td>Ford Explorer XLT 4x4</td>
<td>DAO-01H</td>
<td>5/27/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P225/70R16 (all) All four tires inflated and treads appear intact</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>10108</td>
<td>Ford Explorer XLT</td>
<td>ABE-28V</td>
<td>5/28/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS (all) Driver front tire deflated, but treads appear intact on all.</td>
<td></td>
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<tr>
<td></td>
<td>Year-Month</td>
<td>Vehicle Type</td>
<td>Model</td>
<td>Tires</td>
<td>Date</td>
<td>Rollover Status</td>
<td>Tread Condition</td>
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<tr>
<td>37</td>
<td>2001-06</td>
<td>Ford Explorer XLT 4x4</td>
<td>LAT-241</td>
<td>5/20/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS 255/70 R16 (all)</td>
<td>Passenger front tire &amp; rim damaged; driver rear tire badly damaged. Other tires inflated, treads intact.</td>
</tr>
<tr>
<td>42</td>
<td>2001-10</td>
<td>Ford Explorer XLT 4x4 1999</td>
<td>LAB-518</td>
<td>6/13/2001</td>
<td>Rollover</td>
<td>Dunlop RV LT 245/75 R16 (all)</td>
<td>Treads appear intact. Driver front tire is flat.</td>
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<tr>
<td>43</td>
<td>2001-10</td>
<td>Ford Explorer 4x4</td>
<td>None</td>
<td>6/13/2001</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P255/70 R16 (all)</td>
<td>Passenger rear tire is flat. Treads appear intact.</td>
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</tbody>
</table>
September 20, 2000

BRIDGESTONE/FIRESTONE, INC.
LAW DEPARTMENT

John Harrington
Senior Counsel – Corporate & International
90 Century Boulevard
Nashville, TN 37228
Phone: 615-872-1486
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Via Federal Express and Facsimile (313) 332-4986 and (58) 41 407736

Richard Goetz, Esq.
Assistant General Counsel/International
Ford Motor Company
Dearborn, Michigan
48121-1899

Dear Richard:

I am glad that we were able to speak yesterday afternoon with regard to the information requests relating to Venezuela set out in Mr. Mazzoni’s letter of September 14, 2000 to Mr. Kaizaki. As I briefly outlined to you during our telephone conversation, Bridgestone/Firestone Venezuela, C.A. (“BFVZ”) is ready, willing and able to make a full and rapid disclosure of all claims and adjustment data for tires it has produced and which were utilized on your Ford Explorer sport utility vehicle in Venezuela, in exchange for full claims and adjustment data regarding Explorers produced in Venezuela and at a minimum the following additional information from 1991 to date regarding such Explorers:

- All documents relating to changes made to the Ford Explorer suspension (including but not limited to shock absorbers, anti-sway bars and reinforcing plates); and
- Any Ford Explorer claim data showing any problems (accidents, rollovers, tread separations) with other manufacturers’ tires.

I wish to emphasize the principle of reciprocity in this proposed exchange. As you know, Bridgestone/Firestone, Inc. (“BFS”) has transmitted large amounts of adjustment data to Ford in the United States. Furthermore, BFVZ has transmitted additional information to Ford of Venezuela. To the best of my knowledge, neither Ford Motor Company nor Ford of Venezuela have ever made reciprocal disclosures of data or documents to BFS or to BFVZ. Given this fact, and the evidence we see that the Ford Explorer vehicle is at least partly responsible for many of the rollover accidents which continue to occur in Venezuela (including accidents involving tires produced by other manufacturers), I believe that we are entitled to a full, reciprocal disclosure of Ford Explorer adjustment and claims data as well as the other information listed above.
With regard to plant visits, I believe that such visits should be conducted by a neutral third party and that under the policy of reciprocity such party should make an inspection of equal duration at each of BFVZ's and Ford of Venezuela's plants.

I reiterate that BFVZ is ready, willing and able to make a full and rapid disclosure of all claims and adjustment data for tires it has produced and which were utilized on the Ford Explorer. In exchange for full claim and adjustment data on Explorers produced in Venezuela as well as the additional information listed above. In the interest of consumer safety, I believe that such exchange should occur as soon as possible.

If Ford is willing to discuss this offer, please contact me as soon as possible at the above number. Thank you.

Sincerely yours,

John Harrington
facsimile transmittal

To: Richard Gortz, et al.  Fax: (513) 414-0776

From: John Harrington  Date: 9/20/00

Re: Adjustment Data Pages: 3 (including cover sheet)  Exchange

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<th>(58) 41 407736</th>
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Comment:
Mr. STEARNS. Okay, hospitable questions.

Mr. Lampe, you know, you have a disadvantage that you have to sit here for 4 hours before you become the second panel; but you have the advantage, because you’ve heard Mr. Nasser, and now he is not in a position to answer, but you’ve made a pretty strong statement here in your opening statement about the Ford vehicle, the SUV.

Just a rather quick observation. We had two hearings with your corporation last year, and yet the allegation or the statement against the Ford SUV was not as strong back then. Is the information that you’ve received subsequent to those—to your hearings, is why you’re making your claims so much stronger?

Mr. Lampe. Yes, Chairman Stearns. We, as you remember last year, did say you can take our tires off and the Ford Explorer is going to continue to roll over. We’ve said many times this is a tire/vehicle issue. We have to look at the tire and the vehicle. But since that time, I think you’re aware of Dr. Gunther’s study on the Ford Explorer as compared to the Jeep Cherokee, the Blazer. And it’s very compelling, the evidence that was found in the study, that the understeer to oversteer transition and the oversteer itself in the Ford Explorer makes it a very difficult drive for the normal driver to control.

Mr. STEARNS. Well, you know, he did that study in May, as I understand, didn’t he?

Mr. LAMPE. Yes, he did.

Mr. STEARNS. So you didn’t have that information back there, and when you talked about the Ford SUV, I think you were talking in terms of vehicle application. It wasn’t such a strong statement as you’re making this morning—this afternoon. Well, how do you explain the high rates of tread separation on these Wilderness AT tires? I mean, shouldn’t consumers be concerned about it? Are you just saying it’s all Ford’s fault? And some of these rates are high, and so I think you have to say that there’s some culpability on your part.

Mr. LAMPE. And, Chairman Stearns, we did a recall—safety recall last August. It wasn’t mandated. NHTSA had not finished their investigation. I think they will tell you they were months and months away from completing any investigation. We announced that recall on a voluntary basis because we felt there were issues, and we wanted to get some of those tires off the road. But our tires are safe. Our tires are safe that are on the road today.

Mr. STEARNS. You probably heard when I talked to Mr. Nasser about this B rating versus a C rating, and I understand the Firestone tires on the Ford Explorer have a temperature resistant rating of a C, and that these tires meet the minimum performance required by Federal safety standards as well as Ford’s own specification.

Can you tell me, like Goodyear has a B, I mean, can you tell me what that C rating means and—versus a B rating? After all, I know that Firestone supplies General Motors with tires as original equipment and that General Motors will not allow any tire with less than a B rating on their SUVs. So why is there inconsistency between what General Motors does and what you do for them and what you did for Ford Motor Company?
Mr. Lampe. First, Mr. Chairman, we supplied Ford with the tire they asked for, designed to their specifications. C—there are millions and millions of tires with a C temperature range that operate in all parts of the country. C temperature is not an indication of area—works in one area better than another area. It's one of the three ranges that is established by the Uniform Tire Quality Grading System. It's a high-speed test, and you must remember that the UTQG test that determines not only speed rating but temperature is a high-speed test.

Mr. Stearns. So when Ford specifies a C and you——

Mr. Lampe. I'll correct that, Congressman.

Mr. Stearns. General Motors, you provide a B; and C you provided to Ford, and you decided that?

Mr. Lampe. Chairman Stearns. And the one kind of misstatement was Ford did not specify——

Mr. Stearns. I understand that.

Mr. Lampe. [continuing] a C. They did not specify——

Mr. Stearns. So you decided that?

Mr. Lampe. That's the tire we gave them that met the C requirements. I'll point out from our standpoint that we try to make sure that an entire line of tires has the same grade to make it less confusing for the consumer. Many, many of those sizes and types in the Wilderness line actually met the B temperature grade requirement. But to be consistent and to avoid confusion, we mark them all at the minimum.

Mr. Stearns. But if you're—are you saying that we should have—the consumer should have no concern about a C versus a B? It just is something the consumer shouldn't be concerned about? Are you saying your C-rated tires would perform just as well as a B-rated tire for General Motors?

Mr. Lampe. I'm saying, sir, that the C-rated tires are perfectly acceptable for any geographic region for any application in the United States. There's literally tens of—15, 20 million C-rated tires, more than that operating today.

Mr. Stearns. Well, the obvious question is, why do we have a B-rated tire on General Motors and a C-rated on Ford?

Mr. Lampe. I was not—I was not aware of the General Motors, but I will obviously assume that's correct. And if they ask for a specification and a specified B rating, that's certainly what we would strive to provide for them.

Mr. Stearns. Okay. In the Ford testimony today, was there anything that he said that you object to very strongly in terms of his understanding of your product that you would like to go on record, other than saying his vehicle is bad? To use the words of don't feel—don't find fault, but find a remedy. I mean, are there things that he said, instead of attacking Ford, that you feel about your product that you would like to defend?

Mr. Lampe. Sir, I don't mean to be perceived as attacking Ford. I think there are some issues that need to get out and need to be answered. Yes, testing of the tires; we did testing of tires. We did testing against a number of tires, but the tests we did were significantly more scientific and more fair, just basically fair. I mentioned that Goodyear, on their rig testing, took our tires, and some of
which were 9 years old, and compared them and tested them to the Goodyear tires, which were less than a year old.

When you take their data and you take out our 9-year-old tires and you take apples to apples, our new tires compared to the Good- year new tires were equal.

The same thing on this temperature test. I’ll tell you a statement that was made by one Ford engineer when we asked, why didn’t you use internal temperature rather than surface temperature? You know. You’re an engineer. It’s much more reflective of internal tire heat buildup. He said, we didn’t use internal temperature because there wasn’t much difference between all the brands.

Those are the things that really bother me, the nonapples to apples comparison. There were a number of other, obviously, areas in Mr. Nasser’s testimony that I don’t agree to, but you asked me to stick—focus on the tires, and that’s what I’ll do.

Mr. STEARNS. Thank you. My time has expired.

The gentleman who is the ranking member of the Commerce, Trade, and Consumer Protection Subcommittee, Mr. Towns.

Mr. TOWNS. Thank you very much, Mr. Chairman.

Mr. Lampe, I would like to understand a little more about Firestone’s criticism of the Explorer. I see in your material a lot of discussion about concepts like oversteer and understeer. Am I correct?

Mr. LAMPE. Yes, sir.

Mr. TOWNS. Aren’t we really talking about steering responsiveness?

Mr. LAMPE. Sir, it’s, again, my understanding that Dr. Gunther’s concern is more the ability—the ability to the—of the driver to maintain correctional—directional control at normal highway speeds if that vehicle goes from an understeer to an oversteer. If the driver is not able to maintain control, the back end starts to roll out on him, and then the car is going sideways to its intended direction of travel and starts to roll over. But it’s the driver’s inability to maintain control, is my understanding.

Mr. TOWNS. Aren’t the manufacturers generally moving in the direction of designing their vehicles to have more responsive steering? Is that correct?

Mr. LAMPE. All automobile manufacturers strive to design into their vehicle a certain amount of understeer, because we can all deal with understeer. You and I, the normal driving public, can deal with understeer, and that’s preferable. What we don’t want to experience and what the automobile manufacturers don’t want to put their customers into that situation, is that oversteer position.

Mr. TOWNS. Let me sort of get one thing clear. Could you sort of give me quickly the difference in terms of your testing and the difference between Ford’s testing of the tires? What’s the difference? I mean, just briefly.

Mr. LAMPE. Okay. Very briefly, first of all, we tested—when we tested temperature of the tire, we stick a pyrometer down inside the tire into the belt edge to measure the heat buildup at the belt edge where separations start. We don’t measure the surface at the tire. When we measured—we make a test called high-speed SAE test, run-to-fail. You purposely run the tires at a higher speed, and then you step up the speed and you step up the speed until the tires fail. That’s what it’s designed to do, to make the tire fail.
We did 2 of our tires, 10 of our competitor tires, gentlemen; the most common failure, most common—and especially Goodyear has said many times, the most common failure of a tire is tread separation, and when we ran those tests, sure enough, 8 out of the 10 tires that we ran on the high-speed test experienced belt-leaving-belt separation. We tested them to fail. Don’t—I’m not saying they were bad tires. We ran them till they failed, but the failure mode is belt leaving belt. That’s very common.

Goodyear has said it a number of times. For anybody to say that a separation is not a foreseeable event or not an event that a car manufacturer should make sure that he gives his consumer adequate control over is wrong.

Mr. TOWNS. Let me just run back to the Dr. Gunther test again. Dr.—it’s indicated Dr. Gunther really tested access to steering responsiveness. You didn’t tell him to test any of those new design vehicles with more responsive steering, did you?

Mr. LAMPE. No, Congressman Towns. We—we left it completely to Dr. Gunther. He’s the expert. Again, he’s an expert in vehicle dynamics. He performed standard routine tests, and they’re very reputable. You can repeat them and repeat them, standard recognized tests on the three best-selling SUVs in the marketplace: The Explorer, the Jeep Cherokee, and the Blazer.

Mr. TOWNS. Well, you know, that’s the thing. They’re saying that he did it on a 1996 Chevy Blazer and a Jeep Cherokee, right, both of which had older designs with less responsive steering. And of course, for example, you did not ask him to test the new BMW-X5 or the Mercedes ML 320, both of which have more responsive steering than all of those that you mentioned. Am I correct?

Mr. LAMPE. Yes, sir. And I understand both of those vehicles that you mentioned also have a traction control—a very sophisticated traction control device to help that vehicle not go into an oversteer position. But, no, we did not test them. The Jeep Cherokee was the year 2000. The Explorer was the 1996, and the Blazer was a 1996. And we also tested another Explorer with Goodyear tires.

Mr. TOWNS. At this time I yield back, Mr. Chairman. Thank you very much.

Mr. LAMPE. Thank you.
ers. It seems the common denominator is the Explorer, and the variable is the plant. And so the question is: How can you attribute the significant variation in the tire tread separation rates, when the only thing that seems to be at variance here is the plant and not the vehicle?

Mr. LAMPE. First of all, a number of our plants make sizes for the Explorer. Some are the same sizes, some are different. The other thing you have to remember, Congressman, is that Wilson tire plant has hundreds of lines of tires, hundreds, that have never had a claim. And if you take the Explorer-produced claims or the Explorer-responsible claims out of our database, our claims statistics fall dramatically. And certainly the number of injuries and fatalities falls dramatically. Our Wilson plant is a fairly new plant. I think it's about 25 years old. The Aiken plant is brand new. It's only 4 or 5 years old. They use similar manufacturing techniques in a lot of cases. There are some differences in equipment, but the performance rate and the claims rate in Wilson on their overall production is excellent and very good.

Mr. GREENWOOD. What do you think is the cause of that very statistically significant, I assume, range in claims rates based on tire tread separation for these plants?

Mr. LAMPE. Again, Congressman, it can be the application of vehicle that goes on. One of the variables, too; take the Ford Explorer. Wilson tires going into their assembly plants, their manufacturing plants, St. Louis and Louisville, versus Joliette tires, the distribution of the Wilson-made production might end up going a lot more further south to the warmer States and the hotter States, when the Joliette production stays more up in the north and Canada.

Mr. GREENWOOD. You're saying “might,” or the data indicates that?

Mr. LAMPE. It might. I’d have to see the distribution data from Ford. They had that information. I’d have to see that, but it very well could influence the rate.

Mr. GREENWOOD. Have you asked Ford for that data? I would think that would be fairly significant information for your company to have.

Mr. LAMPE. We asked for that data. We asked for—from Ford, the Ranger distribution data, because we wanted to see that comparison between the Explorer and the Ranger. Sir, we asked for it. We asked for it and we asked for it. And it wasn’t until May 11, after I refused to hand over some information to Ford, until they handed over the information to me, so I could——

Mr. GREENWOOD. Have you had a chance to analyze it so we know whether, in fact, these different claims rates reflect geography as opposed to something in a tire?

Mr. LAMPE. I do not—I cannot say that with all certainty. Congressman, I would—one other thing I would like to point out. We talk a lot about claims. Claims is a word, is a classification, that didn’t even exist 8 months ago. There is no standard definition of claims in the industry. What Goodyear says a claim is, could be completely different than what we said it is. There is no standard established by the National Highway Traffic Safety Administration as to what a claim is, or what an acceptable rate is. But the impor-
tant thing is that what happens after the separation, after the separation. Again, a driver should not lose control of his vehicle. It's a rare event, but it is a foreseeable event, and it is one that happens.

Mr. Greenwood. I agree with you. This whole business of claims rate is not good science. This is about how many calls are made to NHTSA, and as we all know, those calls can be inspired by what happens in the news, they can be inspired by what's happening in the courtrooms. And there's nothing final about this information that we learn from claims rates. Let me—

Mr. Lampe. And the Congressman is really referring to even another measure that is different from claims rate, the Vehicle Owner's Questionnaire reports that NHTSA gets. You get the VOQs, you get claims, you get adjustments. It is a confusing subject.

Mr. Greenwood. Let me go to another subject. You rely to a great extent on the research of Dr. Gunther who ran experiments detailing the amount of understeer and oversteer of the Ford Explorer. Dr. Gunther compared the 1996 and the 2000 Ford Explorer to the 1996 Blazer and the 2001 Jeep Cherokee. Dr. Carr, hired by Ford, argues that these vehicles are not comparable to the Explorer, and that neither have similar steering mechanisms, which creates a situation where the Explorer will necessarily look far worse. How do you respond to that comment?

Mr. Lampe. Dr. Gunther is an expert, sir. He's a full professor at the Ohio State University. He has done a tremendous amount of work for NHTSA. He's done work for the automobile companies. He is the expert. He selected the vehicles to get the best comparison, the best comparative test that he could do. The tests that he ran are standard, repetitive-type tests, recognized in the industry.

Mr. Greenwood. But you do acknowledge that there are different configurations in these vehicles in terms of their steering mechanisms.

Mr. Lampe. I do not know that for a fact. No, I cannot say that. Mr. Greenwood. My time has expired.

Mr. Stearns. The gentleman's time has expired. The chairman of the full committee, Mr. Dingell, is recognized for 5 minutes.

Mr. Dingell. Thank you, Mr. Chairman. Mr. Lampe.

Mr. Lampe. Morning, Congressman.

Mr. Dingell. I have a series of questions. But first, it was 1992 when Bridgestone/Firestone began its turnaround. I'm reading now from the Akron Beacon Journal. It opted to move its headquarters from Akron, Ohio to Nashville, Tennessee to get a new lease on its corporate life. "Ono," Bridgestone/Firestone CEO at the time said, "last year's results," that is, 1997, "showed the improvement of cost-cutting and increased sales in the 5-year period."

Did Bridgestone/Firestone launch some sort of cost-cutting effort in the early and mid-1990's to deal with its profit and loss and debt situation?

Mr. Lampe. Congressman Dingell, I'm not—could you be a little bit more specific? We're always—certainly we're always trying to improve our productivity and keep our expenses under control.

Mr. Dingell. The journal quotes Mr. Ono, who is a man I gather of some importance in the company, who said that last year's results show the improvement of cost-cutting in the 5-year period.
My question: Was there a cost-cutting program which went on at Firestone or not?

Mr. Lampe. Congressman Dingell, there are always measures in our company to keep our expenses under control.

Mr. Dingell. Was there a name for this cost-cutting program?

Mr. Lampe. I'm not sure what the Congressman is referring to.

Mr. Dingell. Well, all I know is that you had a cost-cutting program going on according to Mr. Ono. Have you ever talked to him about this?

Mr. Lampe. Mr. Ono has returned to Japan, sir. Again, if you could be more specific, I'll certainly try to address it.

Mr. Dingell. Now, he actually said that it was a company-wide program.

Mr. Lampe. Again, sir, we had many programs that we put in place to improve our productivity, to make us a better company, to improve our expense to sales ratios. That's a continuous practice.

Mr. Dingell. As a result of this cost-cutting program, did Firestone change the Explorer tires that it was selling to Ford in any way?

Mr. Lampe. I don't know that any change was made to the Ford Explorer tire because of any cost-cutting program, Congressman Dingell.

Mr. Dingell. Are you telling me that there were no changes in the tires that Firestone was selling to Ford for Explorers?

Mr. Lampe. We make continuous changes in the tires. I did not say that, Congressman. We make continuous changes in our tires, to improve our tires.

Mr. Dingell. Were any of these changes made for cost-cutting reasons?

Mr. Lampe. Not that I know of, Congressman. I don't know of any—again, we make a number of changes. We try to improve our tires. We try to make our tires better all the time. I was not in manufacturing at the time, so I know of—I know of none——

Mr. Dingell. Does any of these result in the use of less expensive materials and compounds and production processes?

Mr. Lampe. Again, Congressman, I cannot—I cannot state to that. I will tell you that we're always looking to be able to use better materials at a better price if we can improve the quality of our tires.

Mr. Dingell. Would you please submit to this committee a list of all changes in materials, compounds, in production processes, and in structure of the tires made during this period?

Mr. Lampe. Of course we will, Congressman.

Mr. Dingell. Now, did Firestone tell Ford of any of the changes that they were making in the tires during this period of time and the reasons why these changes were being made?

Mr. Lampe. We have a lot of dialog back and forth with the Ford Motor Company, as Mr. Nasser stated. He stated that he's—Ford Motor Company shares information when they change the vehicles. We share a lot of information back with our OEM customers when we change the tires, especially if it affects the performance—performance parameters of what they've asked for.
Mr. Dingell. Did Firestone monitor the field performance of the tires that were modified during this period of time as a part of the cost-cutting program of that company?

Mr. Lampe. Again, Congressman Dingell, you’re referring to changes made in tires versus cost-cutting, and I don’t think that’s a fair characterization at all. We always monitor. We always monitor the performance of our tires in the field. We do tests. We do run tire analysis. We do many tests to make sure our tires perform well.

Mr. Dingell. Are you telling me that none of these changes in tire structures were cost cutting?

Mr. Lampe. I’ve said I can’t say that, sir, but I don’t—I don’t believe you’re in a position to be able to say that either. I don’t think any one of us know.

Mr. Dingell. Mr. Lampe, you’re the witness, not I.

Mr. Lampe. Yes, sir.

Mr. Dingell. Now, at some point, did Firestone decide to reverse some of the cost-cutting actions it had taken with regard to Explorer tires, because field performance data indicated problems?

Mr. Lampe. I don’t know that to be the case, sir.

Mr. Dingell. Would you submit a list of materials, structure, and changes in manufacturing processes, please, to this committee that occurred during that period of time?

Mr. Lampe. I said I would, sir; yes, sir.

Mr. Stearns. The gentleman’s time has expired, and the—Mr. Lampe, just answer his request, if you would.

Mr. Tauzin, the chairman of the full committee.

Chairman Tauzin. Thank you very much. Mr. Lampe, welcome again.

Mr. Lampe. Thank you, Chairman Tauzin.

Chairman Tauzin. Let me put something on the record. Claims data, as we understand it, is data that refers to a tire failure that leads to injury or property damage. Is that correct?

Mr. Lampe. Yes, sir. Let me explain. Again, this didn’t even come up in vocabulary until August of last year. A claims is made up—the way we define it—and, again, the real problem is there is no industry definition. We define a claim. Every time you see information we give you, it’s defined as a minor property damage claim, and it could be so much as replacing a wheel on somebody’s car.

No—

Chairman Tauzin. Nevertheless, we have property damage and/or injury—

Mr. Lampe. No, no.

Chairman Tauzin. [continuing] connected to the tire failure.

Mr. Lampe. Property damage, as much as less—as little as $5.

Chairman Tauzin. I understand.

Mr. Lampe. It includes personal injuries and it includes lawsuits, three different things.

Chairman Tauzin. I just wanted that on the record. Second, you mention that Firestone did a voluntary recall of tires last year, but to set the record straight again, it was the story done by KHOU in Houston, Texas, that really started this ball rolling and got the NHTSA to do an investigation, because KHOU actually used data at NHTSA to describe a situation where too many Ford Explorers
were rolling over with tire separations on their tires, on the Firestone tires, and that prompted the whole business, did it not?

Mr. Lampe. Congressman Tauzin, my understanding is I believe the KHOU television program you’re referring to was sometime back in February——

Chairman Tauzin. That was months before the recall.

Mr. Lampe. February of 2000. I believe NHTSA opened up a preliminary evaluation in May of 2000. We announced our safety recall in August. My point being only that the preliminary evaluation of our tires was still underway, and it was still——

Chairman Tauzin. Well, I want to talk to you about that, though. You just talked to Mr. Dingell about changes that are made in Firestone tires. I asked—you were in the room when I asked Mr. Nasser about the decision by Ford to purchase Goodyear tires in 1996, and then to return exclusively to Firestone tires again in 1998. Now, Ford and Firestone had an amazingly close relationship for all those years, and it has intrigued me for a long time—I have not yet gotten a good answer to it—why did Ford decide to start buying Goodyear tires in 1996?

Mr. Lampe. Sir, that’s very explainable. During the—and I believe it was actually in 1995 that they started using some Goodyear tires. They used them in 1996 and a little bit in 1997, I believe, and then that’s when they went back to 100 percent Firestone. At that same time period, we were having a labor disruption, labor problems in our union plants. Our production had been reduced, and I believe Ford switched some of the business back—over to Goodyear in order to take off some of the pressure on us, to assure supply. And then once our labor problems were concluded, they went back to us 100 percent. That’s my understanding.

Chairman Tauzin. What’s intriguing about all that, is that in 1995, I think it was, you ran some tests on the tires indicator and had an amazing, I think, 4 out of 10 failure rate. And—it was some amazing results we had at the last hearing. Is that correct?

Mr. Lampe. Congressman, you and I got into this in the last hearing about this testing and the results, and I think—I believe that we agreed that a lot of this testing that you were referring to was testing that we were doing on prototype tires and testing where we actually—what we call test to failure, where you——

Chairman Tauzin. But you found it wrong. You found an unevenness in the sidewalls, and you changed that to an even sidewall treatment, and you found also in 1998, I believe it was, that you needed to strengthen or add amendments to the wedge. Is that correct?

Mr. Lampe. I don’t believe it was a matter, Congressman, of finding something that made us do something. We always try to——

Chairman Tauzin. How do you——

Mr. Lampe. We always try to improve our products. The wedge change you’re referring to that we did in 1998, we talked about at the last hearing, and it covered over a 104 different sizes. It wasn’t a change we made to the Explorer tire. It was over 104 different sizes.

Chairman Tauzin. It was many different——

Mr. Lampe. As an improvement.
Chairman Tauzin. You and Ford now conducted the very same tests on the Ford Explorer, the radius circle test, and you did it in conformity with the Society of Automotive Engineers’ guidelines. Now you used different peer vehicles than Ford did, apparently. You used a different size track, I think. I don’t know if that makes a difference. But your results are exactly the opposite of Ford’s. You found an oversteering problem, and they found none, using the same apparent engineers’ guidelines. You came out with totally different results. Now, who are we to believe, and how are we to know what’s correct in these results?

Mr. Lampe. Congressman Tauzin, that’s why from the very start we asked Ford to work with us, do this together with us, be a part of this. It goes back to, Congressman——

Chairman Tauzin. But that hasn’t happened. You’ve done separate tests.

Mr. Lampe. No. It’s not——

Chairman Tauzin. We’re stuck with the fact that each of you did a separate test, using the same guidelines, and you got an expert that says one thing, and they’ve got an expert that says another. You’ve got one result, and they’ve got another result. Who’s going to settle this for us?

Mr. Lampe. That’s a very—and I’m glad you pointed out that it was a—it was Dr. Gunther that did the tests. We did not do them ourselves. This test is a very standard, recognizable test in the industry, and it’s very repeatable. It’s not something you do once and you can never replicate. You can. I’m suggesting we are not the vehicle experts. We shouldn’t have had to do this in the first place, Congressman. We should not have had to do it. But it can be replicated, and I would——

Chairman Tauzin. I’m told that Ford did it on both the 100- and the 200-meter track and again came up with opposite results from you. So what you’re saying is somebody who doesn’t work for Ford, who is not hired by Ford, somebody who doesn’t work for Firestone, is not hired by Firestone, somebody ought to replicate this test?

Mr. Lampe. I think it would be a very, very good idea. I will point out one difference in Ford’s test, to my understanding, is they tested vehicles at what they call .5 lateral G’s, which is an extremely, extremely violent kind of acceleration that nobody ever gets to in normal driving. Dr. Gunther’s was done between .1 and .3, which is under the normal driving conditions. But I’d be more than willing to——

Chairman Tauzin. But they were both done under the same engineering guidelines.

Mr. Lampe. That would be great.

Chairman Tauzin. You’re telling me they weren’t.

Mr. Lampe. No, they were not.

Chairman Tauzin. So we really need someone, some independent analyst to tell us who’s right and who’s wrong here. Right?

Mr. Lampe. I think that would be a great idea. We have—we’ve done something that we shouldn’t have had to do in the first place, and if NHTSA or a third party wanted to do this, we would be most willing to cooperate, yes, 100 percent.

Chairman Tauzin. Thank you, Mr. Chairman.

Mr. Lampe. Thank you, Congressman.
Mr. STEARNS. I thank the chairman.

Mr. Gordon is recognized for 5 minutes.

Mr. GORDON. Welcome, Mr. Lampe. A quick lead to—at the request of the committee staff and to complete our record, you had mentioned in your testimony that there were 4 deaths in the last 10 days in Venezuela based on tread separation on non-Firestone tires. We have no record of that. If you could provide us with some documentation.

Mr. LAMPE. Yes, sir. I did not—I was not aware that you don’t. We have—we will provide you—we have 43 individually documented judicial cases, which means they’re either certified or registered by a judge or——

Mr. GORDON. If you could just provide that——

Mr. LAMPE. We’ll do that.

Mr. GORDON. [continuing] to the committee.

I’d like to get on to the two questions I had asked Mr. Nasser earlier. To my understanding, the same Firestone tires used on the Ford Explorer are also used as original equipment on the Ford Rangers. These same tires are evidently used on two other popular SUVs, the Toyota 4-Runner and the Jeep Grand Cherokee. Claims data shows that owners of vehicles other than the Explorer have virtually no problems with tread separation leading to rollovers. What does this suggest about the Explorer’s design or handling characteristics and their contribution to the problems?

Mr. LAMPE. You’re exactly right, Congressman, and I heard the question when you asked it of Mr. Nasser. The exact——

Mr. GORDON. That’s an addendum, and a quick addendum. There appears to be a major difference between—or Mr. Nasser just clearly said that the Toyota and the Jeep Cherokee were not the same tires. If you can correct that, too, or give us your view?

Mr. LAMPE. Very brief, the exact same tire that we supply the Ford Explorer is the exact same tire that goes on the Ford Ranger, and already we’ve said that the Ford Explorer has 8 times as more claims than the Ranger does. We supplied 3.1 million tires, of our Wilderness tires, to General Motors, and we had 2 claims. We supplied over 1.2 million Wilderness tires to the Toyota 4-Runner, and we had zero claims.

And the question that calls into being is why do we supply tires, Wilderness AT to Ford, that appear on vehicles that have accidents and rollovers, and why do we supply tires to others that it doesn’t? Mr. Nasser said the tires were not the same tires, and I’ll agree to that. They have slight differences, as established by the OEM, for such things as fuel economy or road noise or something; but the basic Wilderness AT tire, 85 percent, 90 percent, of that tire is the same whether it goes to Ford, whether it goes to General Motors, or whether it goes to Toyota. There are some tweaks for the OEMs.

Mr. GORDON. My second question was, 1 year ago, Ford initiated an almost identical replacement program in Venezuela to replace Firestone tires with other brands. Even though Explorers are now using other brands of tires in Venezuela, it’s my understanding that the Explorer rollovers have continued at a high enough rate to cause the head of the country’s consumer protection agency to suggest banning sales of Explorers.
Why has replacement of Firestone tires in Venezuela not brought an end to the problem, and will the replacement of Firestone tires on the Explorer end the problem in the United States?

Mr. Lampe. And that’s our big dilemma, Congressman. We’ve seen what happened in Venezuela. Ford has said it was a tire issue. They replaced the tires. We didn’t replace them. They did. But the problems continue. The rollovers continue. You’re right. The head of the Consumer Protection Agency came out and requested the Attorney General to ban the sale of Ford Explorers, and just this morning, there was an article in a Venezuela newspaper that quoted the president of the Explorer Owners Association, stating that this is a vehicle problem, this is not a tire problem. We don’t have tires left on Ford Explorers. And I’m not saying the tires that are on the Explorers today in Venezuela are failing. They’re not. Unfortunately, the vehicle continues to roll over.

Mr. Gordon. Could you also provide us documentation of that——

Mr. Lampe. Yes, I will.

Mr. Gordon. [continuing] news article?

Mr. Lampe. I certainly will. Thank you.

Mr. Gordon. I guess if there is any time left, I will offer this to you to clear up any kind of differences of opinion from the earlier witness.

Mr. Lampe. No, I’m not going to use my time to do that. I’m just going to reaffirm one thing that Mr. Nasser said. The decision that I had to make and my company had to make a couple weeks ago to terminate our relationship with the Ford Motor Company was the most difficult, most painful decision I’ve ever made. Ninety-six years of heritage. Harvey Firestone, Henry Ford were great friends. We did not take that decision lightly. As I said, it’s a very difficult decision, but it was the only decision that we could take. It was the right decision to take at the time.

Mr. Gordon. Thank you.

Mr. Greenwood. The time of the gentleman has expired. The Chair recognizes the gentleman from Georgia, Mr. Deal, for 5 minutes.

Mr. Deal. Thank you, Mr. Chairman. Thank you for being here.

Mr. Lampe. Thank you.

Mr. Deal. You have stated that the important thing is what happens after the tire separation. I would submit to you that we are basically talking about two events, both of which may be calamitous here. The first is the tire separation. The second is possibly a rollover following a tire separation. You’ve indicated that you think it is a combination vehicle/tire problem that we’re addressing.

So my first question to you, then, is based on the fact that you’re saying that relatively the same tire does not have the same potential problems 8 times, I believe you said, less with a Ranger versus an Explorer. Are you contending that there is something in the design of the Ranger that causes the tire separation?

Mr. Lampe. Congressman Deal, my comment was—and I’m sorry if I confused this. The——

Mr. Deal. I understand your comment. I’m simply asking——
Mr. LAMPE. No. No. But I’ve got to clarify one thing you said real fast. The incident of claims for tread separations on the Ranger is 8 times less than the Ford Explorer.

Mr. DEAL. But, now, is that a claim that is followed by a rollover that precipitates the definition of claim?

Mr. LAMPE. The rollover event on a Ford Ranger is practically nonexistent. It’s practically nonexistent.

Mr. DEAL. The separation is 8 times less on the Ranger?

Mr. LAMPE. Yes, sir.

Mr. DEAL. Are you then contending that there is something about the design of the Explorer that causes the tire separation?

Mr. LAMPE. We keep looking at that. We talked about that last fall. We talked about why so many rear-tire failures, why so many left-rear-tire failures. We have not had any scientific findings that would suggest that, to date, that would suggest that there is something on the Ford Explorer, other than the inflation pressure and the weight, which is extremely important, but nothing mechanical on the Explorer causing a tread separation.

But we still believe when we go back to the Ford chart on the weight of the Explorer, that one of the Congressman brought up, that that inflation pressure is extremely important. And Congressman—or, Chairman Tauzin, you’ll remember last year we talked about 26 pounds, and we asked Ford to let us move our tire to 30. They agreed on a range from 26 to 30. We then went back and said, please, Ford, we want you to recognize 30 pounds for our tire. They did that, and 2 weeks ago I was meeting with Ford, and their top engineer for passenger cars and SUVs told me they have now gone to 30 pounds for all manufacturers.

Mr. DEAL. So the only thing——

Mr. LAMPE. So they probably recognized that 26 was not sufficient as well.

Mr. DEAL. So the only thing you can account for in that regard may be the tire pressure might attribute to that fact?

Mr. LAMPE. Air pressure and load; yes, sir.

Mr. DEAL. Now, the second thing you indicated was that in the tests that you had performed, your tire compared favorably with all of its competitors, and I assume these were tests on your tire that has now been recalled?

Mr. LAMPE. No, sir, this is just the latest testing that we’ve done, testing that we’ve done within the last 90 days, 120 days on our tires, which would not include the recalled tires. They’re already, for the most part, off the road.

Mr. DEAL. Are you contending that your initial recall was not necessary?

Mr. LAMPE. The additional action taken by Ford?

Mr. DEAL. The initial recall that you made.

Mr. LAMPE. No, I never suggested that, sir. You asked me if we did testing, if this testing reflects tires that we recall; and I’m saying, no, it does not.

Mr. DEAL. All right.

Mr. LAMPE. Those tires are off the road. This is current production tires.

Mr. DEAL. All right. So you’re not insisting that the tires that were initially recalled by your action didn’t have problems?
Mr. LAMPE. No, sir, I am not.

Mr. DEAL. All right.

Now, you were generally asked a question about the difference in performance of your tires based on their location of manufacture, and I believe you indicated that it may have something to do with which vehicles the tires go on; and I think we are talking here exclusively about all explorers and that it may have something to do with some going to Southern States.

I couldn't help being a little paranoid, as a Southerner, recognizing that all the tires made in the South seem to perform pretty good, everybody; it's only the tires made in the North and sent to the South that have problems. That gives me a little bit of pause here.

Mr. LAMPE. You said that. I didn't.

Mr. DEAL. Is there any other explanation that you can offer with regard to the differentiation between point of manufacture and performance?

Mr. LAMPE. It is also the type of tire that is produced. You might have a commercial light truck tire being produced in one plant, versus an over-the-road passenger tire in another. You would expect to see a higher separation rate, claim rate, if you will, on the commercial light truck tire because of its application.

So application has a lot to do with it as well, Mr. Deal.

Mr. DEAL. Thank you, sir.

Mr. LAMPE. Thank you.

Mr. GREENWOOD. The chair recognizes the gentleman from Florida, Mr. Deutsch, for 5 minutes.

Mr. DEUTSCH. Thank you, Mr. Chairman.

Mr. Lampe, there have been allegations that Ford basically pushed Firestone with its demands to improve the Explorer's stability and gas mileage, and that Firestone ended up going along with those demands, but didn't tell Ford that the tire would not be as robust if that were to occur.

Looking back on that sort of period, first of all, if you can talk about the veracity of those allegations; but also, knowing what you know now, would you be doing things differently in terms of changes that you made.

Mr. LAMPE. I am not aware of any changes that were done for the reasons you stated, Congressman. Yes, frankly, looking back—you've asked me that; I have been asked that before. Looking back, the air pressure of 26 pounds was a bigger factor than we originally thought.

Mr. DEUTSCH. Okay. Did Ford specifically ask you to lighten the tire at any point?

Mr. LAMPE. We did lighten the tire. I have also seen that information. We lightened the tire, and I can't remember which model year it was. I don't know if this was the result of an innovation, an improvement that we could make on our tires, or if it was at Ford's request; but I will get that information for the record.

I do not know if that was at Ford's request.

Mr. DEUTSCH. I appreciate if you can provide that.

We have placed into the record a June 16 article from the St. Petersburg Times reporting that a Fort Myers man died in March after a Cooper tire tore apart and his Explorer flipped over.
Another person was killed in Florida on May 16 of this year when an unidentified non-Firestone rear tire fell apart.

An April 30 article from the Peoria General Star reported on the death of an Illinois man who had replaced his Firestone tires with Cooper tires.

Now, Cooper tires were not approved replacements for the Firestone tires. Do you have any evidence of Explorers rolling over on non-Firestone, but approved, replacement tires after last year’s recalls.

Mr. Lampe. Sir, I have got reports that have been sent to me from media reports that—of a number of cases of Explorer rollovers on competitor tires other than—in addition to those that you have mentioned. There were two or three in California; there was one in Georgia. There have been a number, but I do not—I do not have an adjudication, I do not have a certification, of these. They have just been reported on competitor tires.

Mr. Deutch. I think that’s an issue again where whatever information you have, if you can provide the committee and committee staff with that obviously very helpful information.

Mr. Lampe. I believe we’ve provided that, but I’ll double-check and make sure you get that.

Mr. Deutch. We have the performance specifications that Ford provided to both Firestone and Goodyear for the Explorer tires. What changes need to be made in these specifications to avoid another disaster? Or is it possible? I mean, do you have any suggestions about that?

Mr. Lampe. I think we need to continue to improve our ability to exchange information with the automobile manufacturer.

Congressman, last fall I said that we’ve got to know a lot more about the vehicle, that we’ve got to know a lot more about our tires, and we’ve got to talk a lot more about what, if they increase the weight from 5,000 pounds to 5,600 pounds, we need to know.

If we change something in our tire that is going to affect the performance of that vehicle, they need to know. And I said back then that I am firmly convinced, that is the best thing we can do is, share more information, be open with each other and make sure we understand how the tire and the vehicle interact.

Mr. Deutch. Now, you have just emphasized the importance of vehicle weight to tire performance. When did you first learn that Ford had increased the Explorer’s weight by 600 pounds in the model year 1996?

Mr. Lampe. And I can’t speak for the 45,000 people in my company. That would be kind of an unfair statement. We did not become aware at the management level until we got into this whole issue about weight and inflation, which was last year. That is the first time we became aware that Ford had increased the weight from 1990 to 1996, and then they decreased it, back down.

And what’s interesting about that is our highest rate of claims on the Ford Explorer are those 2 years where the weight was the highest. Our claims were less before, and they’ve come down since the weight came down. Whether that is a strong correlation or not, I would suggest it is.

Mr. Deutch. Were you surprised that Firestone was not informed of the change in the weight?
Mr. LAMPE. I am surprised, in looking back at it. I wasn’t involved in the Ford-Firestone relationship back in 1996. I would have had no reason to be involved, but I am surprised that we weren’t informed.

Mr. DEUTSCH. And as you’ve testified at this point, then how important is the vehicle’s weight to tire performance?

Mr. LAMPE. It is very important. It’s very important. Weight and inflation are the two most important things to tire performance. If a tire becomes underinflated, or if it becomes overloaded, that tire is going to run the risk of being damaged.

Mr. DEUTSCH. Let me just ask one last question.

I asked Mr. Nasser about testimony that Ford experts have given at trial regarding the ability to drive, or the average driver to drive, in a situation where the treads basically come apart. What would your position be in terms of the ability of a driver to drive in that situation?

Mr. LAMPE. As Goodyear stated on four different occasions, tread separation is not an unusual tire failure. All tires will fail, all tires can fail if they’re not taken care of, if they’re abused. But probably the most compelling thing is a presentation that Goodyear made to NHTSA back in—I believe in March; and I am sure NHTSA can provide you a copy. And there are two things I’d like to read from their presentation. I mean, I—it is here—this is Ford’s presentation to NHTSA back in March, Ford’s presentation:

“Like other SUVs, Explorer’s handling capacity, even with a separated tire, is sufficient to allow a safe stop.” that’s one statement by Ford.

The other one:

“Explorers have a margin of safety, as designed, to accommodate a reasonable level of component failures, including tread separations.” they said this in March.

Dr. Guenther comes out in May and says, there’s a problem because it is a foreseeable event; and now Ford is saying, well, they don’t design their cars for that after all—very important.

Mr. GREENWOOD. The time of the gentleman has expired. The Chair recognizes for 5 minutes the gentleman, Mr. Bryant.

Mr. BRYANT. Thank you.

I’d like to welcome and thank you for your patience also. Let me ask you some questions, some of which may be answered briefly, maybe even yes or no; but I have got about five questions I’d like to cover with you.

Referring back to last year, how long did it take Firestone to complete the original tire recall which was ordered by NHTSA last summer, and how many tires were recalled and were they all replaced?

Mr. LAMPE. We virtually completed the recall in about 5 months, 4½ months. We replaced about—it is a little over 6 million tires. We have continued to replace those tires; we’ve got up to about 6.3 million; we estimated there were about 6.5.

I am not sure, but if you ask NHTSA, I think they would probably tell you this is the highest percentage of reclaimed product on a replacement program like this that’s ever been. They’re virtually all off the road, Congressman.
Mr. BRYANT. Given your successful completion of this tire recall last year, is the current tire recall being conducted by Ford necessary?

Mr. LAMPE. No, sir, it's not. The tires they're replacing are perfectly safe tires.

Mr. BRYANT. What, if any, quality control measures has Firestone undertaken to prevent situations like the tire recall last summer from occurring again?

Mr. LAMPE. We've done a number of things, Congressman. We, first of all, instituted an improved early warning system to make sure that we can catch an issue when it's an issue and before it becomes a problem, and that is working. We have done some manufacturing changes in our product, in our plants, not only to—as matter of continuous improvement.

But we understand that there will be tougher standards out there in the future and tougher testing requirements by the TREAD Act, and we want to make sure we are in full compliance and ahead of the program on that.

We've also done some standardization in our plants, but we've done a number of things as a result of lessons learned.

Mr. BRYANT. You mentioned the TREAD Act. Of course, Mr. Upton's here as the sponsor of that bill last year; and in response to that bill, what changes, if any, has Firestone undertaken, anticipating the new defect reporting obligations under this act?

Mr. LAMPE. First of all, Congressman Upton, we're fully supportive of your bill. RMA, the Rubber Manufacturers Association, which includes all the major tire manufacturers, including Goodyear, Michelin, Cooper, we have been very supportive. And we will continue to support NHTSA and work for a successful implementation of that act.

One of things we've changed, Congressman Bryant, is the reporting system on our quality control procedures. We have a quality control committee that reports directly to me and is accountable directly to me. They bring any issues that have come up through our early warning system, identifying when there are still issues.

It's my decision, my responsibility to make the decision to either go out and get those tires, or some other recourse, but we have changed completely our reporting requirements.

Mr. BRYANT. I have got one final question.

I was in and out, visiting with constituents, and I don't know if you have been asked this question. But concerning the Wall Street Journal article that talked about different ratings or classifications, if you will, A, B, C of tires; and there's been testimony that Mr. Nasser addressed about perhaps their requirement that they use a C-rated tire on the Explorer, and also that maybe they've gone to a B-rated.

Could you distinguish in layman's terms for us those ratings and in terms of heat resistance and usage on an Explorer-type vehicle?

Mr. LAMPE. Yes. There are three ratings, basically A, B and C. Ford did not—and I'd like to correct the Congressman's statement a little bit. Ford did not specify a temperature grade, and that I believe was Mr. Nasser's testimony as well—just confirming that. The C temperature grade is a perfectly acceptable temperature grade on passenger and light truck vehicles in the United
States. It is not a reflection of geographic suitability. It's a grade that's assigned during a high-speed, high-speed SAE test; and again there are many vehicles—as Mr. Nasser said, there are millions of vehicles in the United States and all locations in all parts of the country that have temperature grade C tires, temperature grade B and a lesser population of temperature grade A.

Mr. BRYANT. So I think he mentioned that you did not necessarily make that distinction on the tires that you provided to Ford, the Explorer vehicle, initially.

Mr. LAMPE. That is up until 1999. I believe it was 1999. As we interpreted the regulations, we were not required to mark light truck tires or tires that were used on light trucks, like SUVs, with a UTQG designation. There were other manufacturers that didn't do it either, that interpreted the regulation the same way. NHTSA had asked us in 1999 to begin marking those tires, and we did at that time.

Mr. BRYANT. Very quickly, the last question on this, how in terms of performance would a C-rated tire compare to a B-rated tire.

Mr. LAMPE. Again, there are many, many factors of performance, handling, maneuverability and so forth. Again, this is more of a speed—it's a speed-rated, high-speed test to see what tires can resist heat at high speeds; it is about 80 resistance, which is the top B or a C.

The only performance—in my opinion, Congressman Bryant, the only performance distinction would be the temperature generation and resistance at high speeds.

Mr. BRYANT. Thank you, Mr. Chairman.

Mr. GREENWOOD. The time of the gentleman has expired.

The Chair recognizes for 5 minutes the gentleman from Massachusetts, Mr. Markey.

Mr. MARKEY. Thank you, Mr. Chairman, very much.

A few weeks ago Firestone gave the National Highway Traffic Safety Administration a preliminary report regarding handling and oversteer problems in the Ford Explorer. Yet Firestone had known from litigation in the mid-1990's about the handling issues with the Ford Explorer. Yet Firestone had known from litigation in the mid-1990's about the handling issues with the Explorer.

Why didn't Firestone approach NHTSA back in the mid-90's or late 1990's about this issue, so that it could have been dealt with as the safety issue which had already been identified in that earlier time period before additional death and injury was caused by the vehicle?

Mr. LAMPE. Congressman Markey, it's very difficult for me to answer that. I was not—as you know, I think, I just took over to be CEO last October, and I was not in our technical or manufacturing area. I don't know that people at Firestone felt that there was a vehicle problem, or not, back in the early 1990's. Certainly there were a few lawsuits that existed at that time on the Ford Explorer that would suggest—that existed for rollovers, but I can't tell you if anybody in our company approached NHTSA or not.

I don't believe they did.

Mr. MARKEY. No, I don't think they did. The question is, why didn't they?
What we're all interested in here is clearly the dysfunctional relationship that exists not only between Ford and NHTSA, but between Firestone and NHTSA. And I think we're concluding pretty much between both industries and NHTSA in terms of the responsibility, which each company feels that it has to bring information to NHTSA, that could help provide additional safety for the American family?

Mr. Lampe. I agree with you completely. I don't consider our relationship with NHTSA dysfunctional. We have a tremendous amount of cooperation, but——

Mr. Markey. I don't mean now. I know it's improved a lot.

Mr. Lampe. Congressman, I can only assume and I can only say that I guess if there was an issue we felt we would, Ford would bring it to the forefront. They're the experts. They know the stability of their vehicles; and other than that, it's really hard for me to comment because I wasn't in the position back then.

Mr. Markey. No, I appreciate your passing the buck there over to Ford; and you, as well—because of the litigation, you as well knew there was a huge issue here—again, not you sir, you weren't in the position at that point in time. But it's a real issue.

Let me ask you a question. I would just like to get your view on it. The roof crush standard is 30 years old. Would you support a new roof crush standard to be developed to reflect a rise of SUVs on our roadways and the higher probability of rollovers in these vehicles?

Mr. Lampe. I support Congressman Upton's TREAD Act that will increase the testing on tires.

Mr. Markey. I'm not talking testing. I am talking about an actual roof crush standard, so that families aren't, as the vehicle rolls over, crushed to death inside of the vehicle.

Mr. Lampe. Congressman Markey, I am not the vehicle expert, but I would support anything that would improve public safety as long as there was a risk/benefit analysis associated with it to see the practicability of it.

Mr. Markey. Well, obviously, from your own testimony, Ford has increased from 5,000 to 5,600 pounds the weight of the vehicle; and this pretty much becomes a weight issue, how much weight do you want to now build into this roof protection so that the consumer is—the American driver or passenger is not crushed.

Mr. Lampe. And I'm certainly not trying to be flippant at all in a subject like this, but yes, you could design a people—you could put people in tanks, and they wouldn't be hurt on rollovers. The only matter is, is that practical; and I am not qualified to say that. But I am for anything that improves public safety.

Mr. Markey. How about the use of advanced window glazing inside of the window to prevent glass from falling out in crashes? Do you think that makes sense?

Mr. Lampe. Congressman, you're asking me to comment on something that's way out of my realm of expertise. Excuse me.

Mr. Markey. Okay. Okay.

I would like if you could to give us, for the record, any information that Firestone has, any memos that deal with what you knew about the handling and oversteer problems back in the mid- and late-90's from these lawsuits, and what you knew about what Ford
knew on these issues at that time, so that we can get a handle on how long ago it was that it was clear that there was a big issue here.

Would you provide for the committee memos, any memos that Firestone has developed or has access to that came from other companies relating to that, those issues during that time period?

Mr. LAMPE. If that information has not already been provided, certainly we will provide that, Congressman.

Mr. MARKEY. Okay. Thank you.

Mr. GREENWOOD. The time of the gentleman has expired.

The Chair recognizes for 5 minutes the gentleman, Mr. Shimkus.

Mr. SHIMKUS. Thank you, Mr. Chairman. Let me ask, on the information you provided us, Mr. Lampe, the chart here, it says Florida Single Vehicle Highway Fatal Incident Crash Rates by Model Year. I think it’s in section one, the third or fourth chart. The charts were Florida and Texas accident data limited to a single vehicle highway accident where a tire was a contributing factor of the accident. The question, again, is trying to clear up data and data supplied to us.

Why didn’t you include the Mercury Mountaineer in your definition of a Ford Explorer? You did include the Mazda Navajo, correct?

Mr. LAMPE. I asked that same question, Congressman, because I was mystified as to why. It’s the same tire, we supply the same tire to the Mountaineer. It is my understanding that the Mountaineer has a different suspension than the Explorer and the Navajo do. That’s my understanding.

I am sure somebody from Ford could answer that, but that’s why they were not included, because they were not an apples-to-apples comparison.

Mr. SHIMKUS. I am sure we’ll be able to get a response from Ford. We’ll follow up on that and we’ve got staff shaking their heads yes.

Let me go to another issue that I raised in other questions, and it deals with this whole standards requirement; and again I will go back to an issue—again, you were not CEO at the time we worked through the TREAD Act. I did raise the nylon cap issue then and I just raise it now, really as a point of discussion.

In a Time magazine article of September 2000 they—their basic premise of the article stated that with the advent of increased highway speeds, it may now be time to revisit nylon caps as vehicles get heavier, as heat and aspects—what is your position on the nylon cap, and is it or is it not needed. And why—do you produce tires with a nylon cap and why do you produce some for one type of vehicle and not for other types of vehicles?

Mr. LAMPE. Again, at the risk that I’m not a tire expert or engineer; but I’ve worked with the company for 27 years, so let me try to answer that to the best of my ability.

We do make some tires with nylon caps. Nylon cap ply strips are used for high-speed applications. They were originally, to my understanding, developed in Europe for the autobahn. We have done a lot of tests, and they do improve the high-speed capability of tires. And the higher speed that you go, the higher speed rating
you go on a tire, the more likely you are to find cap strips and cap plies.

We have also done tests that would indicate that cap strips and cap plies have no noticeable effect on a tire, with a tire separation, getting a separation or having a separation occur. They’re more to hold the tread in place at very, very high speeds.

I think there are millions and millions and millions of tires on the American road today, hundreds of millions that don’t have nylon strips, nylon cap plies, and they function and operate just fine. If we were ever to go to a system, perhaps, God forbid, like in Germany with no speed limit, then certainly they would be required much, much more than today.

Mr. SHIMKUS. In a follow-up to comments and questions with Mr. Nasser—and I am sure we’ll get better information after everybody’s sorted through the transcript—it was our understanding that Ford did move to push nylon caps for Venezuela and Saudi Arabia, on their tires being sold in those locations. We didn’t get a definitive answer from Ford whether that was true.

Do you have any information on that?

Mr. LAMPE. I believe, sir, that today the competitive tire they’re using in Venezuela does have a nylon cap ply or a nylon cap strip. It is also my understanding that the speeds in Saudi Arabia and Venezuela, both, are extremely high. People routinely drive 100 miles an hour. So those two areas might very well justify cap plies or cap strips.

Mr. SHIMKUS. Thank you.

Mr. Chairman, I yield back.

Mr. GREENWOOD. The Chair thanks the gentleman and recognizes for 5 minutes the gentleman, Mr. Stupak.

Mr. STUPAK. Thank you, Mr. Chairman.

Mr. Lampe, at the September 5th hearing, I asked Mr. Ono, who was then representing Firestone, whether they would join us in calling for and cooperating in a blue ribbon, independent panel to perform review on all the AT, ATX Wilderness tires, and determine the cause, and propose solutions.

Is Firestone still committed to a blue ribbon, independent committee?

Mr. LAMPE. We were committed then, Congressman. As long as it looks at both the vehicle and the tire interaction with the vehicle, we would certainly join with that committee.

Mr. STUPAK. I think that’s a problem. Shouldn’t we let the committee decide what it should look at if it’s truly going to be independent?

Mr. LAMPE. Mr. Stupak, we strongly believe that you’ve got to look at the tire-vehicle interaction, because one doesn’t make sense of the study itself.

Mr. STUPAK. But then we get results like you have with the Guenther report, where you have completely the same results based on scientific study, but we get two different organizations here advocating two different results of the same scientific study.

So shouldn’t you really let an independent panel determine what it should look at and what it should not look at?

Mr. LAMPE. Congressman, I would agree that an independent panel certainly gives a he-said/she-said, removed type of report; but
again, I would strongly encourage that panel, if they want to understand what is happening in the field today, to look at the tire and the vehicle and the interaction between those two.

Mr. STUPAK. In the earlier testimony, they talked about—I guess they called it the field data tests that Ford did about the—they put the hundred, I am sorry, 1,083 separations with the Firestone and two separations with Goodyear tires on their vehicles. Roughly 3 million Goodyear tires were tested and 3 million Firestone tires were tested.

Do you remember that testimony?

Mr. LAMPE. Yes, I do.

Mr. STUPAK. And you got a copy of that report?

Mr. LAMPE. I don’t know if we did or not, Congressman.

Mr. STUPAK. Okay. According to Mr. Nasser, you received it, the committee received it, and NHTSA received it.

Mr. LAMPE. That’s fine.

Mr. STUPAK. How do you explain that, when you do 3 million Goodyear and 3 million Firestones?

Mr. LAMPE. It’s very interesting. You say that this same committee back last year got a document, you refer to it as Document 54.

Mr. STUPAK. No, no, let’s stick with this document.

Mr. LAMPE. What I am trying to explain is, Document 54 showed that Ford had received 10 complaints about Goodyear separation——

Mr. STUPAK. See, that’s not my question.

Mr. LAMPE. [continuing] and now they’re saying two.

Mr. STUPAK. I want to ask the questions.

Mr. LAMPE. I am sorry. I misunderstood.

Mr. STUPAK. You are only going to interpret what you want to interpret.

I’m asking specifically about this one, not Document 54, but this study here about the 3 million Goodyear tires and 3 million Firestone; any idea how you get the differences? If you don’t, you don’t.

Mr. LAMPE. I don’t know how Goodyear classifies claims, Congressman, and I can’t explain the number “2” that is shown for Goodyear, when we talked about 10 already last year.

No, I cannot explain it.

Mr. STUPAK. All right. But you would agree with me would you not, that without tire separation, we don’t have to worry about understeering and oversteering on the vehicle?

Mr. LAMPE. No. I would not agree with you, Congressman, on that.

Mr. STUPAK. Okay. Well, what else? Do you have to worry about understeering and oversteering without losing control?

Mr. LAMPE. It’s my understanding that any type of ride disturbance, such as a tread separation, could possibly induce the same characteristic and same need for understeer versus oversteer in a vehicle.

Mr. STUPAK. Okay, other than tread separation, what else do you get in an oversteer or understeer situation?

Mr. LAMPE. I don’t know, Congressman. I would think there are a number of things that could happen to the rear of the vehicle
that would induce the same sort of situation, but again, I am not a vehicle dynamics expert.

Mr. Stupak. In this whole situation here on some of the charts that have been up here, I think there was a yellow chart your assistant there has been putting up there. I think it is Attachment No. 3 in your testimony.

You talk about tread separations as sort of a common occurrence with vehicles; is that correct?

Mr. Lampe. No, I wouldn’t characterize it, and I think I previously said I would not characterize it as a common occurrence. Tread separation is a very rare event considering the millions and millions and millions of tires that are made.

Mr. Stupak. Okay. Very rare event?

Mr. Lampe. Yes, sir.

Mr. Stupak. We have more blowouts than we do of tire separations?

Mr. Lampe. No. Again, in my opinion, Congressman, and Goodyear backs that up, tire separations are the most common-type tire failure.

Mr. Stupak. How many tire separations do we have each year in this country; do you have any idea?

Mr. Lampe. No idea, Congressman.

Mr. Stupak. Of all these rollovers, do you know how many are not tire separations?

Mr. Lampe. All I can tell the Congressman is that the FARS data, Federal Fatal Accident Reporting Systems data, from 1990 to 1999 on the Ford Explorer single vehicle rollover accidents, 6 percent of those accidents alleged a tire involvement. There were 94 percent of those rollover accidents that did not have any tire-related factor to them.

Mr. Stupak. Okay. The Explorer—and you have a chart up there about the gross vehicle weight and the changes by year and tire pressure and load, you said, are—well, weight are very critical. When you have a tire separation, your vehicle weight will shift, will it not; the critical mass of a vehicle will then change?

Mr. Lampe. I don’t know that to be a fact, sir. And I did not see that in Dr. Guenther’s report. I can’t say that it does or doesn’t. I am sorry. I can find out for you.

Mr. Greenwood. The time of the gentleman has expired.

Mr. Lampe. Would you like for me to find out about that, Congressman Stupak.

Mr. Stupak. Sure. I’d appreciate it. Thank you.

Mr. Greenwood. The Chair thanks the gentleman and recognizes the gentleman from Michigan, Mr. Upton, for 5 minutes.

Mr. Upton. Thank you, Mr. Chairman.

And, Mr. Lampe, I appreciate your remarks in support of the TREAD Act, which was signed by the President last year. Again, I was sorry that I was late coming back; and I was not here for Mr. Nasser’s testimony.

But in reading it, he said this and I quote from page 2:

“our tire team worked closely with NHTSA every step of the way. We also shared our data and analysis with Firestone—Dr. Sanjay Govindjee, who conducted an independent investigation at Firestone’s request.”
He goes on to say, “And we did detailed engineering analysis of failed tires to give us an understanding of real-world failure mechanisms. Our findings prove consistent with the findings of Dr. Govindjee,” and goes on to say, “Firestone’s Wilderness reached the following conclusions, Firestone Wilderness AT tires experience higher rates of tread separations than other tires, including the Goodyear tires used on the Explorer.”

Now what is interesting to me as I read that testimony is then to look at today’s Wall Street Journal when it says “Sanjay Govindjee,” the same individual, “an expert hired by Bridgestone/Firestone,” then it goes on here to say, “a unit of Japan’s Bridgestone/Firestone Corp. last year to report on the root cause of more than 2,100 tread tires used on previous-generation Ford Explorers, said yesterday that the tire company officials didn’t provide him with certain data that he requested during his inquiry. Dr. Govindjee, a professor of civil engineering at University of California, Berkeley, said he wasn’t shown criteria information last year about changes made to a critical component of Wilderness AT and ATX tires.”

Further, it goes on to say, “I am a little perplexed as to why I wasn’t shown certain data about the wedge change. Clearly, the wedge is important in tread separations. The thing that’s unanswered is how important is that change that they made.”

Comment.

Mr. Lampe. Not exactly sure what information Dr. Govindjee’s referring to. We gave him tons of information. We talked about the wedge change here.

Mr. Upton. He was your guy, right?

Mr. Lampe. We hired him as an independent third party investigator, Congressman, to be exactly that, completely independent. We gave him tons of data. If there is something we didn’t give him?

Mr. Upton. Because Ford says, Nasser said in his statement, their conclusion was with him, the guy you hired.

Mr. Lampe. And Dr. Govindjee’s conclusion was consistent with ours, our root cause analysis. We have no difference with—differences with Dr. Govindjee; his findings confirmed our root cause analysis on the recalled population of tires. That’s what his mission was.

But if there is anything that Dr. Govindjee didn’t get that he feels he needs, we’ll be sure he gets that.

Mr. Upton. One of the frustrations I think Chairman Tauzin mentioned in his question, is, we do want to get to the bottom of this. We want an independent party who can tell us who’s right and who’s wrong, and get the bad tires off if, in fact, they are.

I’ll bet you have seen this Ford document they think they provided to all of their dealers of the tire replacement program. In it, it says, “Once the Wilderness AT tires reach 3 years old, the failure rate increases considerably”—the tires they brought up on the dias a little bit earlier were 3 years old, by the way—laboratory and vehicle testing by Ford shows that tire design variations and physical characteristics of the Wilderness AT tires makes them less durable than comparable tires from other manufacturers. Information shared by NHTSA shows that failure rates for actual road performance for many of the Wilderness AT tires were measurably worse
than comparable tires from other manufacturers, and data recently received from Firestone shows that failure tests had increased significantly for some of the Wilderness AT tires. Because Ford does not have sufficient confidence in the future performance of these tires as they age, we’re acting now.”

That’s their document that they have provided to all their dealers.

Now, one of the arguments in support of the TREAD Act, which passed without dissent last year, was the provision that we included involving criminal sanctions, and the whole idea was to say that when a manufacturer or someone involved in the sale of automotive product was aware that that product was going to lead to serious injury or death that they would come forward to NHTSA and act before those deaths and injuries happen.

Tires that I have here I think perhaps would have led to serious death or injury a little bit earlier and it shows that the sanctions we put in there work, the idea worked. Rather than going back after the fact, after the accident, we had it before. And based on the evidence that Ford is showing us with this and the comments made earlier, I think that they knew that, in fact, those tires were going be unsafe, they were going to lead to serious injury; and to make sure that they were not only protecting their customers, but they knew that they would probably be subject to criminal prosecution, they decided to submit that data and make that decision before NHTSA came up with their final conclusion.

Mr. LAMPE. And I don’t agree with their conclusion at all.

Our tires are safe. Our tires are performing well on the roads.

Mr. UPTON. I don’t know all that many people personally that have an Explorer. The ones that I do have had trouble with their tires, all of them, 100 percent.

Mr. LAMPE. I would very much like to have our engineers look at the tires that you brought in today, Congressman. I’d like to see what is——

Mr. UPTON. And three—by the way, three of the four tires that that individual had had that same type of early tread separation.

Mr. LAMPE. I’d certainly like to have those tires examined and if you would work with us on that, I’ll get you the findings back.

Mr. UPTON. Last—I know my time is expiring—if we can get as part of the record, I don’t know or not, Dr. Sanjay’s report to you all, in terms of what he submitted, we’d appreciate that for the record.

Mr. LAMPE. I believe that Dr. Govindjee’s report has been provided to the committee. If not, Congressman Upton, we’ll certainly do that.

Mr. UPTON. Thank you. I yield back.

Mr. GREENWOOD. The staff informs me that we have that document, and we will make it available to the gentleman from Michigan.

The Chair recognizes the gentleman from Pennsylvania, Mr. Doyle.

Mr. DOYLE. Thank you, Mr. Chairman. I just have one question, and it’s really a follow-up to something Mr. Stupak was talking to, too, because it’s very, very frustrating, the issue of trying to sort through all the claims and counterclaims.
But as I was reading through Ford testimony, they point to this one example of what they claim is the only apples-to-apples comparison, and I think you alluded to it earlier, Mr. Lampe, in your testimony when you said, in the period 1995 to 1997, because of some labor unrest or something, that Ford had taken some of the pressure off of Firestone by introducing some Goodyear tires into their line; but that it was sort of a way of taking the pressure off of supply. So that during those 3 years, 1995 to 1997, “we were equipping the Ford Explorer with Goodyear and Firestone tires.”

And their claim is that roughly 3 million Firestone tires were equipped on about 500,000 Explorers; and that your own claims data base shows that there were 1,183 claims of tread separation and that there were also about 3 million Goodyear tires on another 500,000 Explorers that traveled more than 25 billion miles and that their data base shows only two minor claims of tread separation. And I guess the question, or the point they’re making, is that if the car was the issue, if the Explorer was the cause of the tread separation, or at least a contributing factor to it, wouldn’t there be more of—you know, wouldn’t these two be more in the same ball park.

The Firestone AT tires on the Explorers had 600 times more tread separation claims than the Goodyear, and you would think, if the car was the culprit, that they’d be a little bit more in the ball park, the Goodyear and the Firestone tires; and I’m just wondering how you square that, because it seems to me to be the only apples-to-apples data we have here.

Mr. LAMPE. And just two comments, Congressman. Once again, that information is based on claims data, and I really don’t—I don’t have access to the Goodyear data and I don’t know how they identify, how they, what their definition of “claims” is, if it’s the same definition that we’ve got. Because nobody ever used “claims” up until 8 months ago. So I don’t know that it is an apples-to-apples comparison.

But if you look at our tire, that tire you were talking about that had those separations—which, by the way, the vast majority of those separations you’re talking to are tires that we’ve replaced, that we’ve recalled.

But if you look at that exact same tire we make today and put it on the Ranger, you have 800 percent less amount of claims than you do on the Explorer.

Mr. DOYLE. So what you’re saying is that Goodyear doesn’t report tire separations the same way you do, or there’s no standard way of reporting?

Mr. LAMPE. I’m saying I don’t know how they report. Claims—we have never used claims as a performance indicator up until August of last year, July and August. We always used adjustments, warning adjustments. So this claim is a whole new classification, if you will, of tires. We had to define the classification for us in order to give the information to NHTSA.

I do not know if Goodyear has the same definition of “claims.” I don’t know, maybe they say anything over $500 is a “claim,” anything less is just an “adjustment.”

So I don’t know that we can compare those unless I can see exactly the Goodyear information.
Mr. Doyle. So you’re saying that it’s conceivable that there could have been 1,000 tread separations with Goodyear tires, and if the damage was under $500, they may not have reported it?

Mr. Lampe. I think that’s kind of stretching it. I’m not trying to get you to believe that. I am just saying that I don’t know what an accurate number would be for Goodyear unless I knew for sure that it was defined exactly the same, Congressman.

Mr. Doyle. Let me ask you one final question. If the car was the culprit, would you expect that the tire separation rates would be roughly equal between the two tires?

Mr. Lampe. If the Explorer inflation and load factors were the same, I would—I would think that the—the effect would be the same on the tires.

Mr. Doyle. It would be interesting to see how Goodyear does their claims. Thank you.

Mr. Dingell. Would the gentleman yield?

Mr. Doyle. Yes, I would.

Mr. Dingell. When Ford orders, or rather commences, negotiation with you about purchasing tires to be put on its Explorer, it gives you essentially a series of performance specifications; does it not?

Mr. Lampe. Yes, I believe that’s a term I used.

Mr. Dingell. It says the tires are supposed to do these things and these are the characteristics of the vehicle; isn’t that right?

Mr. Lampe. Yes.

Mr. Dingell. And this is how the vehicle will be used. So Ford has given you then performance specifications on both the Explorer and on the Ranger; is that right?

Mr. Lampe. That’s not entirely true, sir. They specify—they specified exactly the same tire to be used on the Explorer and the Ranger; the exact, exact same tire is put on the Ranger. We ship them to Ford they put some on Ranger, some on Explorer.

Mr. Greenwood. The time of the gentleman has expired.

Mr. Dingell. Could I ask unanimous consent, because I think it is a very important point.

Mr. Greenwood. Does the gentleman ask unanimous consent that the gentleman from Pennsylvania be given an additional 1 minute?

Mr. Doyle. Yes.

Mr. Greenwood. Without objection.

Mr. Doyle. And I yield to my chairman.

Mr. Dingell. Doesn’t Ford give you specification for both the Ranger and the Explorer, and you then manufacture a tire to suit those?

Mr. Lampe. Congressman Dingell, it’s my understanding that Ford gave us one specification.

Mr. Dingell. For the two?

Mr. Lampe. To be used for the Ranger and the Ford Explorer; it’s exactly the same tire.

Mr. Dingell. Don’t the specifications design the weight, speed, the carrying capacity, turning torque?

Mr. Lampe. Ford designs the specifications. They gave us one specification for the same tire to be used on the Ranger as is used on the Explorer. They—in fact, that tire, when we ship it to Ford,
it doesn’t know what vehicle it is going to go on. It arrives at Ford and they put some on Rangers and some on the Explorers—doesn’t make any difference.

Mr. DINGELL. Why are they failing then on Explorers and not failing on Rangers?

Mr. LAMPE. Thank you, Congressman. That was my point exactly.

Mr. DINGELL. But why?

Mr. LAMPE. I think you have to look at the vehicle. The difference is the vehicle. The tire’s exactly the same; the difference is the vehicle.

Mr. DINGELL. Well, are you telling me you’re not making a tire that suits the Ford Explorer and does suit the Ranger.

Mr. LAMPE. I am telling you I—we’re making the tire that was requested by Ford, that was specified by Ford.

Mr. GREENWOOD. The time of the gentleman has expired.

Mr. DINGELL. The Ranger’s a pick-up truck; is it not?

Mr. LAMPE. The Ranger is a pick-up truck.

Mr. DINGELL. And the Explorer is an SUV?

Mr. LAMPE. Ford Explorer is an SUV, yes.

Mr. GREENWOOD. The time of the gentleman has expired.

The Chair recognizes the gentleman from Florida, Mr. Bilirakis, for 5 minutes.

Mr. BILIRAKIS. Thank you, Mr. Chairman. I want to apologize to you and the committee; I have a great big, bad Superfund site not only in my District, but in my hometown; and we had public meetings last night and this morning, and I had to be down there for those because they were planned long in advance of this hearing.

Mr. Lampe, even before I heard some of the questions that were asked of you—and I obviously did not hear your opening testimony—I felt that before we could ever get to the bottom, if we ever will, of what has happened here, that certainly the interaction of the tire and the vehicle has to be considered. And I think that we’re just barking up the wrong tree if we don’t do that.

This is not to insinuate anything at all, but it’s just that we’ve got to look at both of those, I think.

I did note in your testimony—pretty profound statement, your written statement—and you said the odds of having a fatal accident in a Ford Explorer are three times greater than in any other midsize SUVs.

Mr. LAMPE. And I believe you referring to Florida, we looked at two different data bases Congressman. We looked at the Florida test crash or the Florida crash data base and the Texas crash data base and that statement came from one of those data bases yes, sir.

Mr. BILIRAKIS. Well, now, how did you come to the belief that the odds are three times greater?

Mr. LAMPE. The data base will show you single vehicle accidents, single vehicle rollovers of the Explorer, and then it will show you all the other SUVs and it will show you if it was tire-related or not tire-related. That all comes from Florida’s data base, and we simply then had statistical methods applied to that data base to determine the odds of one versus the other.

Mr. BILIRAKIS. Well, you say it would tell you whether it was tire-related or not. In other words, I mean, is the fact that there
are three times more fatal accidents in a Ford Explorer than in other midsize SUV—is that a fact regardless of whether it involves tires, regardless of whether it involves seatbelts, regardless of any other factor? Is that right; is that what your testimony is?

Mr. Lampe. In the written, that comes directly from the Florida data base, yes.

Mr. Bilirakis. So that's a black and white figure?

Mr. Lampe. Straight from the data, sir, it's my understanding.

Mr. Bilirakis. Straight from the data.

Well, a general question, sir. It seems that there's, there were a large number of claims in this country, problems overseas, with these tires, your tires, dating back to 1997. And this is certainly a question that I think has to be asked of the next panel, Mr. Jackson, but I would ask you, why is it that something more was not done prior to, let's say, last summer, July, the middle of last year in terms of examining relevant data base bases?

What I'm trying to get to here is, you know, after the fact, which is what we're doing here, after the fact, I realize there might still be some accidents—isolated accidents taking place after out there. But after the fact, I mean, does it—maybe you get to the problem, you try to solve the problem, but in the meantime, an awful lot of terrible things have happened.

So could you, could Ford, could or should the government have gotten more involved in trying to prevent all of these things that took place after—once—-you know, it's been a year-and-a-half now that we have known the problems were developing, claims have been—were being filed.

Mr. Lampe. And you're referring, Congressman, to the events leading up to last August recall announcement?

Mr. Bilirakis. I'm referring to—I'm referring to claims regarding these tires that went back to 1997.

Mr. Lampe. Leading up to August?

Mr. Bilirakis. Yeah, leading up to it exactly.

Mr. Lampe. And we did an awful lot of work, and we did a lot together with Ford. Ford alerted us of a situation in Saudi Arabia. We went over there with a team of engineers and, together with Ford, went out and examined a lot of tires.

The conditions in Saudi Arabia are very extreme, Congressman. We covered those last year when we talked. Already very, very flat loads, very high speeds. In many cases they will go off the highways onto the sand, deflate their tires because it gives them more flotation. Then they come back on the highways and there isn't any place to reinflate their tires so they travel long distances with very severely underloaded tires.

We looked at the tire. There was not a tire problem. Ford agreed with us it wasn't a tire problem. And the same situation happened in Venezuela.

We have talked a lot about claims today. And it wasn't until we actually started looking at the claims data that we had never looked at before as an performance indicator, and NHTSA and other tire companies had not looked at it, that we saw an over-representation of tires that were produced in one design called the ATX, and in one size; and then another one size in the Wilderness
tire that was produced in Decatur. And then that drove us to take our action.

But we took very, very prompt action. When we had this claims data and could see this overrepresentation, we didn’t mess around at all. We—it was within a week that we were up here and announced a voluntary recall.

Mr. Bilirakis. Thank you.

Mr. Greenwood. The time of the gentleman has expired.

The Chair recognizes the gentleman, Mr. Sawyer, for 5 minutes.

Mr. Sawyer. Thank you, Mr. Chairman.

Just a couple of observations with the questions. “oversteer” and “understeer” are measures of vehicle dynamics, and they represent the loss of adhesion at the front or the rear of the car, and they occur all the time. It occurs in the rain, it occurs on ice, and it really represents simply a loss of the full measure of adhesion.

The point is that the whole question of testing protocols, it seems to me, needs to be revisited. It’s the sort of thing I want to ask NHTSA, but Dr. Guenther’s dynamic vehicle testing, if there was as much of a difference in the G forces that were applied to the tire between the tests that were done by Ford and the ones that were done by Firestone, that’s not a consistent testing. That’s not scientifically consistent. That’s huge difference. Would you agree?

Mr. Lampe. Again, Dr. Guenther’s testing, Congressman Sawyer, was done at what he calls the linear range, which is at the speeds that we drive at. His analysis of the Ford testing was done at a range that nobody ever achieves. You can’t achieve it; therefore, nobody’s going to do well at that range.

I think they need to be consistent, yes.

Mr. Sawyer. Who needs to put those kinds of testing protocols in place? Is SAE an appropriate body to turn to?

Mr. Lampe. I don’t know if it’s SAE or NHTSA. It’s certainly a—I agree with you, it should be a third party, an independent third party, Congressman.

You have brought up an excellent point, the oversteer—understeer to oversteer that’s caused by tread separation. Even Ford’s own expert said that at normal highway speeds, the effect of a tread separation on the vehicle is nothing more than a gust of wind or running through a puddle of water. So we are not talking about a catastrophic loss of adhesion.

Mr. Sawyer. That’s my point exactly. You spoke of a product, of the lasting effect of overheating as being damage to a tire, so that the internal temperature of a tire didn’t cause a risk of separation. You used the term “damage.” is that damage abiding; even once the tire temperature is returned to normal, has damage been done that lives on in the life of that tire for the rest of its life?

Mr. Lampe. Any type of high generation of heat, such as under-inflation, overload, tremendously high speeds, anything that creates excessive heat can do lasting damage to a tire.

Mr. Sawyer. In that sense, when we talk about warning systems on pressure that we’ve been talking about for a year now, how critical is the margin of error? That is to say, if, in fact, 26 pounds per square inch were specified and there was a 20 percent margin for error, you’re actually talking about potentially being down...
below 21 pounds. How critical does that become in terms of the overall life of the tire and the risk of separation at a later date?

Mr. LAMPE. Twenty percent underinflation is very, very critical, and it's not something that you can—you can't run a tire 20 percent underinflated for 2 months and air it back up and think that you have corrected the problem, because the damage exists and it's going to stay there.

Mr. SAWYER. Let me ask you then about a second point of early warning. We're beginning to talk about claims data. My understanding is that you have recently returned to a standard for what is—what are claims data grounded in virtually any loss above the cost of the tire itself.

Am I correct about that?

Mr. LAMPE. I am not sure. I did hear that just the other day. I don't know if that's something new to meet the requirements of the TREAD Act, but I can't disagree with that.

Mr. SAWYER. My understanding is that Goodyear does essentially the same thing.

Mr. LAMPE. Okay.

Mr. SAWYER. How critical is that kind of comparability and should we ask NHTSA to build that kind of comparability into the standards that we ask them to promulgate?

Mr. LAMPE. Yes, any time we are going to be in the future using comparisons and this type of data, we should have comparability in how we classify adjustments, how we classify and claims. It should be consistent.

Mr. SAWYER. You mentioned earlier, but I would just like to re-emphasize that you talked about continuous improvement and the effect that reporting protocols back and forth among companies ought to have. That 400 to 600 pounds is significant from your point of view, that a suspension change can be significant. Would you agree that tire design could be equally as significant?

Mr. LAMPE. Yes, a significant change in tire design that could affect the performance of the tire, I would consider that significant.

Mr. SAWYER. One final question. Should we ask NHTSA to be the clearinghouse for that exchange of information, or should we simply require the companies to share that back and forth?

Mr. LAMPE. No, I believe we should require the companies to share it back and forth because I think it is in our own best mutual interest.

Mr. SAWYER. Should NHTSA have a role in that?

Mr. LAMPE. I wouldn't be against NHTSA having a role, Congressman Sawyer, but I don't know that that role would be necessary, but I certainly wouldn't be against it. If it would help the situation, then yes, I am all for it. Anything that makes it better.

Mr. SAWYER. Thank you, Mr. Chairman.

Mr. GREENWOOD. The Chair thanks the gentleman. Mr. Lampe, I think all of the members of the panel have queried you, which means you are excused. We thank you very much for your patience and for your testimony for being with us this afternoon.

Mr. LAMPE. Thank you very much for the questions and the very courteous treatment that I received today.

Mr. STUPAK. Mr. Chairman, may we be allowed to follow up with written questions?
Mr. GREENWOOD. Certainly.

Mr. STUPAK. I thought we were going to go a second round.

Mr. GREENWOOD. If the gentleman has questions that he would like the committee to officially pose in writing, we can do that.

Mr. LAMPE. Congressman, could I make one change? I believe Congressman Bilirakis was talking about some test data, and maybe I misspoke, and I want to just get the record correct.

I believe he was looking at the Florida tire-related data base. If I misspoke and said Texas, I would like to change that to Florida.

Mr. GREENWOOD. The Chair thanks the gentleman for clarification and again for his testimony——

Mr. LAMPE. Thank you very much.

Mr. GREENWOOD. [continuing] and calls forward our third and final panel consisting of the Honorable Michael Jackson, Deputy Secretary, accompanied by Mr. Robert Shelton, Executive Director and Mr. Kenneth Weinstein associate administrator for safety assurance for the National Highway Traffic Safety Administration, Department of Transportation.

Gentlemen, thank you for waiting so patiently to be with us. You are aware that the committee is holding an investigative hearing, and when doing so, we've had the practice in the past of taking testimony under oath. Do any of you have any objections to giving testimony under oath?

The Chair then advises you that under the rules of the House and rules of the committee, you are entitled to be advised by counsel. Do you desire to be advised by counsel during your testimony today?

In that case, if you will raise your right hand, I will give you the oath. Do you swear that the testimony you are about to give is the truth the whole truth and nothing but the truth? So saying, you are under oath. And please be seated.

[Witnesses sworn.]

Mr. GREENWOOD. Mr. Jackson, you are going to present the opening statement, are you?

Mr. JACKSON. Yes, sir, I am, Mr. Chairman.

Mr. GREENWOOD. Welcome again and please proceed.

TESTIMONY OF HON. MICHAEL P. JACKSON, DEPUTY SECRETARY, DEPARTMENT OF TRANSPORTATION, ACCOMPANIED BY ROBERT SHELTON, EXECUTIVE DIRECTOR, AND KENNETH WEINSTEIN, ASSOCIATE ADMINISTRATOR FOR SAFETY ASSURANCE, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

Mr. JACKSON. Thank you, Mr. Chairman, and members of the subcommittee, I am pleased to appear before you this afternoon and wish to thank the subcommittee. Thank you, Chairman Stearns and Greenwood, subcommittee ranking members Towns and Deutch, full committee Chairman Tauzin and Ranking Member Dingell.

With me I have NHTSA's executive director Robert Shelton on my left and Associate Administrator for Safety Assurance, Ken Weinstein on my right.

Mr. Chairman, this hearing addresses a series of safety issues that are of the very highest concern. Everyone who has spoken
today has underscored that, but I would be remiss by not observing the same point and telling you how seriously we take this inquiry and this responsibility NHTSA has.

The Department of Transportation’s investigation of Firestone tires was set in motion by tragic events, and loss of life. All the parties appearing before you here today honor the memory of those individuals by doing our best to take responsible action.

On behalf of Secretary Mineta and myself, and the Department, I want to assure you that DOT is pursuing these matters systematically, objectively, and thoroughly.

Like you, we are also animated by a focused sense of urgency and a vigorous resolve to protect the public interest, to protect the consumers’s rights. We have heard today about the consumers being trapped in the middle, and, Mr. Chairman, we wish to be bound right to that interest—right in the middle—to provide you objective, impartial assessments. That is what this committee needs, that is what the American public needs, and that is what this agency was commissioned to do.

We worked closely with both Ford and Firestone to share information to gather facts about these complex matters. We have also consulted with experts throughout the field. We have in our testing commissioned independent scientific labs to do work for us, which I will describe later. So we have brought into our own analysis a substantial amount of the type of blue ribbon expertise that you could find in the country to examine these issues.

As we gain additional information and are able to draw firm conclusions from our ongoing research, we are going to follow this where the facts lead us. We are going to let all the chips fall where they may.

We want to thank the committee, particularly, for your strong support and counsel as we progress. In particular, I want to express our gratitude for the tools, the assistance, and the resources that you have given us in the TREAD Act. Frankly, this is a significant enhancement of the tools that we have to work in this arena, and we are very grateful for the improvements you have given us to work in this area.

After my confirmation by the Senate last month, I read the TREAD Act in its entirety. I have studied it. We have had good conversations to try to get this new Deputy Secretary up to speed on it. But I confess, I often have been impatient at the Department of Transportation about the pace of our regulatory work. We move too slowly too often. But I am pleased to report to you today that we are moving in an area where we have some very tough deadlines for TREAD Act regulatory work. We are on deadline. We are doing the job that we had set out before us and I am pleased to report that things are moving just as planned by the Congress.

And we will keep you advised about our progress in a detailed way as we move forward. This includes regulations regarding tire performance standards, tire pressure warning, early warning reporting requirements, rollover testing and child restraint improvements. We will continue to monitor this carefully and, as I said, I will keep you advised about our progress.

I am pleased to also tell you that yesterday, President Bush announced his intention to nominate an outstanding physician, Dr.
Jeff Runge, to head this agency. While Secretary Mineta and myself will continue to be actively involved, Dr. Runge, if confirmed by the Senate, will have primary responsibility for running the agency. I want to tell you that, in the absence of a new administrator, we have a tremendous amount of confidence in the NHTSA professional team, two of whom are represented here with me today, to move this forward.

We have not been sitting on our hands at this department waiting for a new administrator. We have been moving fast.

The remainder of my testimony will address two topics. First, NHTSA's ongoing investigation into certain Firestone tires; and second, the question of whether and to what extent NHTSA should review tire-vehicle interface issues, including the data commissioned by Firestone regarding understeer and oversteer characteristics of the Ford Explorer.

Sir, if I may, the first topic will be our investigation of Firestone tires. As this committee is aware, NHTSA opened its formal defect investigation of over 50 million Firestone ATX, ATX II, and Wilderness tires in May 2000, after the receipt of a series of complaints concerning those tires.

With implementation of the TREAD Act, we have a far better early warning system to identify these defects. NHTSA now anticipates that we will complete the current testing program for these tires at the end of next week. And by roughly this time next month, we will be able to report publicly on our conclusions about this important assessment.

Since NHTSA's investigation was launched, there have been two separate actions which will lead to replacement of more than half of the tires we have discussed here today, the original recall last summer and the May announcement by Ford of its tire replacement program.

I want to say that the Department applauds Ford for its strong commitment to safety and its efforts to retain the confidence of its customers. But I want to be clear too that NHTSA has not yet completed its investigation, nor have we made formal recommendations or a determination of the necessity for further recall.

Ford's decision does not, in other words, render our ongoing investigation moot. NHTSA's role under the Vehicle Safety Act is to decide whether any of the tires under investigation contain a defect that relates to motor vehicle safety. Some of the tires were installed as original equipment on non-Ford vehicles and are beyond the scope of Ford's replacement program. Other tires have been used as a replacement tire on non-Ford vehicles. It is thus important that NHTSA complete its review, its investigation.

NHTSA's Firestone investigation is unprecedented in its scope and in the tools that we are using in the conduct of this analysis. The agency has examined literally hundreds of tires from the field and is employing numerous state-of-the-art techniques to analyze them. I have outlined in my formal presentation the types and techniques and tools that we are using: Shearography, sectioning, adhesion testing, rig testing on drums, chemical analysis and other internal testing. And to do this we have recruited the best experts we can find and are using some of the Nation's most complex laboratory assets to do this work.
NHTSA has requested and received information in addition from six other tire companies to allow the agency to perform peer comparisons. Throughout the investigation, NHTSA has continued to receive extensive information from both Ford and Firestone, and we have periodically provided both companies with summaries of data collected in our testing effort. We are grateful that both parties have cooperated so closely with this investigation. However, I want to emphasize that NHTSA has not provided either Ford or Firestone with conclusions or recommendations about whether a further recall will be necessary. When we have boxed that all up, we will provide it all at once and announce it publicly.

Finally, I know that some members of this committee may be concerned that the NHTSA Firestone tire investigation may not yet have gone far enough. It is true that NHTSA's testing is focused primarily on a subset of the tires that are covered by Ford's recent replacement program. However, this is because NHTSA's analysis of field data has demonstrated that those tires have been associated with the greatest number of claims, crashes, injuries and fatalities compared to other tires not covered by Firestone's 2000 recall. This touchstone about what is happening in the real work that Mr. Nasser refers to is our touchstone in launching an investigation of this sort.

To put this in context, and based on NHTSA's June 18th, 2001, update of this data, the 14.4 million ATX and Wilderness AT tires recalled last year have been associated with 285 crashes and 123 fatalities. The 13 million tires in Ford's recently announced replacement program have been associated with 37 crashes and 10 fatalities. The tires covered by NHTSA's September 1, 2001 consumer advisory have been associated with 15 crashes and 5 fatalities, and the approximately 23 million remaining tires within this universe of tires has been associated, to date, with 8 crashes and 12 fatalities. So this gives you some sense of the universe of this data that we are looking at from the real world.

Ford has now also provided data to NHTSA and to this committee about tires that are not currently being subjected to extensive testing by NHTSA. Again, NHTSA expects to conclude its testing next week. If after assessing all available data, NHTSA concludes that an expanded testing program is recommended for other Wilderness tires, it will expand the investigation of other tires and focus more scrutiny on those tires that such results might point toward.

If I may, just at this juncture, say a word too about the data that has been discussed this morning about claims and of the replacement tires that Ford is using in its program. Mr. Chairman, I would commit to you that while we may not be able to act as expeditiously as Mr. Nasser, we too expect to be nimble here.

If upon receiving this data this evening, we could look at it tonight and look at it a little bit in the morning, we will come back to you with a preliminary assessment of what we think we are looking at, what data we might need. If we need to have some conversation with other manufacturers, we will try to start that first thing in the morning and tell you how long we think it's going to take, and we will give you a quick take on that data and what we think it looks like.
We would like to involve Ford and Firestone in that quick look as well. But we promise to be responsive to you tomorrow and let you know what we think the need is and how long it's going to take us to fill it. So we will work with you very quickly on that.

Last, I would like to address the question of Firestone's assertions regarding the handling of Ford Explorers. In Chairman Tauzin's letter of June 6th to NHTSA, he urged us to consider whether the safety problem being investigated is solely a tire issue or whether it is a tire-vehicle application issue. I would like to offer two sets of observations about this very important question.

First, NHTSA's inquiry is focused on tires because it's the tires that have been failing. As the committee is aware, by law, tires are treated differently from other items of original equipment. Defects in tires are to be remedied by the tire manufacturer rather than the vehicle manufacturer. If tires were treated statutorily as part of the vehicle itself, as are headlights or seat belts for example, the proper course of action would be to launch an investigation of one or more vehicle models and any tires that might be used as replacements.

Moreover, and to be more specific, NHTSA has, to date, had no credible evidence that the Ford Explorer's design is in any way responsible for causing tread separation or other such catastrophic tire failure. Firestone has not, as I understood it, asserted this causal relationship either, and Mr. Lampe's testimony addressed that issue as well.

So NHTSA has to date, therefore, conducted our investigation as, first and foremost, a tire investigation. If it appears that the safety problem is limited primarily to crashes involving vehicles equipped with certain Firestone tires, then the most immediate and the most effective remedy is to recall those tires.

Second, I would like to talk just for a moment about NHTSA's examination of the handling characteristics of the Ford Explorer. As the committee is aware, Firestone commissioned a study to look at the handling characteristics and rollover propensity of Ford Explorers, and that has been discussed today. Firestone recently informed the Department of this and released the initial results from that study. Like other SUVs, the Ford Explorer experiences a higher rollover rate than other passenger cars.

In asking NHTSA to investigate the safety of the Explorer, Firestone specifically said that they had not intended to launch a formal investigation—a formal defect petition at NHTSA. However, because the content of it has been structured in this way—as a petition—we have, at the Department, Secretary Mineta and myself, asked NHTSA to treat the Firestone petition as a formal petition and we are behaving as law and regulation require us to behave upon receipt of a petition asking us to launch a defect investigation. That is where we are right now.

Consequently, at this stage, NHTSA is conducting an analysis to determine if a formal investigation is merited. The Department and NHTSA are giving this matter full consideration. Again, a sense of the urgency that I was trying to speak to you about earlier today certainly pervades our approach to this issue. NHTSA is reviewing the Firestone information. Already, we have met both with Firestone and Ford. Moreover, we met last week with the individual
who conducted this research on behalf of Firestone and have had useful conversations with all of those parties.

Firestone's consultant recently advised NHTSA that he would not be finished with the full testing regime that he is conducting for Firestone until the end of July. Even before receiving Firestone's request, the Agency had been reviewing field data from a variety of sources, including NHTSA's own data collection systems for the purposes of evaluating the likelihood of rollover given a tire failure for both the Explorer and for peer vehicles.

Mr. Greenwood. Mr. Jackson, we turned the clock off 10 minutes ago. If you would wrap up.

Mr. Jackson. I'm in my last page, sir. Our goal is to complete the analysis of the data as quickly as possible this summer. We realize it is an area of enormous importance to all the parties involved. So I have provided now, in sum, an overview of what we are doing on the tire investigation as well as on this petition that we have received on the vehicle. Portions of what I said have, I know, disappointed probably both Firestone and Ford. We are very comfortable being in exactly the position that we are. We are going to do this professionally, systematically, but with urgency. And when we finish, and it won't be long, we will be back here to tell you exactly what we found. I'm now happy to answer any questions that you may have.

[The prepared statement of Michael P. Jackson follows:]

PREPARED STATEMENT OF MICHAEL P. JACKSON, DEPUTY SECRETARY OF TRANSPORTATION

Mr. Chairman and Members of the Subcommittees: I am pleased to appear before you today and wish to thank Subcommittee Chairmen Stearns and Greenwood, Subcommittee Ranking Members Towns and Deutsch, Full Committee Chairman Tauzin and Ranking Member Dingell for the invitation to appear at this hearing. With me are NHTSA's Executive Director, L. Robert Shelton, and Associate Administrator for Safety Assurance, Kenneth N. Weinstein.

1. INTRODUCTION

Mr. Chairman, this hearing addresses a series of safety issues that are of the very highest importance. The Department of Transportation's investigation of Firestone tires was set in motion by tragic events and loss of life. All of the parties appearing before you today must honor the memory of those individuals by our responsible actions.

On behalf of Secretary Mineta, I want to assure you that the Department of Transportation is pursuing these matters systematically, objectively, and thoroughly. Like you, we are animated by a focused urgency, and a vigorous resolve to protect the public. We have worked closely with Ford and Firestone to share information and gather facts about these complex technical matters. Our work on these matters continues to evolve. As we gain additional information and are able to draw firm conclusions from our ongoing research, NHTSA will follow these matters wherever the facts lead.

I want to thank the Committee on Energy and Commerce for your strong support and your counsel as we progress. In particular, I want to express our gratitude for the tools and resources that this Committee helped make available to the Department with last November's enactment of the TREAD Act. After my confirmation by the Senate last month, I studied the Act in its entirety. In the TREAD Act, Congress set aggressive deadlines for completing the required rulemakings. While I confess to having often been impatient with the pace of regulatory work at the Department, Secretary Mineta and I are pleased to inform the Subcommittees that NHTSA is on schedule to implement the Act's landmark safety enhancements. This includes the regulations regarding tire performance standards, tire pressure warning, early warning reporting requirements, rollover testing and child restraint improvements.

We will continue to monitor implementation carefully. I personally pledge that the Department will work closely and candidly with these Subcommittees to keep you
apprised of our progress both on TREAD Act implementation, and on the Firestone Tire and Ford Explorer matters.

The remainder of my testimony will address two topics: first, NHTSA’s ongoing investigation into certain Firestone tires; and second, the question of whether and to what extent NHTSA should review tire-vehicle interface issues, including data commissioned by Firestone regarding understeer/oversteer characteristics of the Ford Explorer.

2. NHTSA’s Investigation into Firestone Tires

As the Committee is aware, NHTSA opened its formal defect investigation of over 50 million Firestone ATX, ATX II, and Wilderness tires in May 2000, after the number of complaints concerning these tires increased significantly that year. With implementation of the TREAD Act, we will have a far better early warning system to identify potential tire defects.

NHTSA now anticipates its current testing of tires will be completed by the end of next week. By roughly this time next month, NHTSA expects to finish its analysis and announce the results.

Since NHTSA’s investigation was launched, there have been two separate actions that will lead to replacement of more than half of the tires covered by the investigation:

- On August 9, 2000, Firestone recalled all of its ATX and ATX II tires of the P235/75R15 size manufactured since 1991. It also recalled Wilderness AT tires of that size made at its Decatur plant, for a total of 14.4 million tires.
- On May 22, 2001, Ford announced a tire replacement program that includes all other Firestone Wilderness tires on certain Ford, Mercury and Mazda SUVs and light trucks. This replacement action totals approximately 13 million tires.

The Department applauds Ford for its strong commitment to safety and its efforts to retain the confidence of its customers. It is necessary to reiterate that NHTSA has not yet completed its investigation nor has NHTSA made a formal determination about the necessity of a further recall. Ford’s decision does not render NHTSA’s investigation moot.

NHTSA’s role under the Vehicle Safety Act is to decide whether any of the tires under investigation contain a defect that relates to motor vehicle safety. Some of these tires were installed as original equipment on non-Ford vehicles and are beyond the scope of Ford’s replacement program. Other tires have been used as replacement tires on non-Ford vehicles. It is thus important that NHTSA complete its investigation and reach a decision consistent with its statutory and regulatory mandate.

NHTSA’s Firestone investigation is unprecedented in its technical complexity. The investigation includes both a review of field experience and an extensive series of laboratory analyses. The agency has examined hundreds of tires from the field and is employing numerous state-of-the-art techniques to analyze the performance and characteristics of these tires. These techniques include:

- shearography—a non-destructive technique that can detect separations within a tire;
- sectioning—cutting a tire to measure the dimensions of interior features, including cracks;
- adhesion testing—measuring the resistance of the belts to being peeled apart;
- rig testing on drums—to assess durability;
- chemical analyses—evaluating the effects of oxidation and other chemical processes that can degrade a tire; and
- other internal physical measurements.

NHTSA has requested and received information from six other tire companies to allow the agency to perform peer comparisons. Throughout the investigation, NHTSA has continued to receive extensive information from both Ford and Firestone, and we have periodically provided both companies with summaries of data collected in our testing effort. We are grateful for the cooperation of both parties. However, I want to emphasize that NHTSA has not yet provided either Firestone or Ford with its conclusions or recommendations about whether a further recall is necessary.

Finally, I know that some members of the Committee may be concerned that the NHTSA Firestone investigation may not yet have gone far enough. It is true that NHTSA’s testing is focused primarily on a subset of the tires that are covered by Ford’s recent replacement program. However, this is because NHTSA’s analysis of field data has demonstrated that those tires have been associated with the greatest number of claims, crashes, injuries and fatalities compared to other tires not covered by Firestone’s August 2000 recall. To put this in context, based on NHTSA’s
June 18, 2001 update of the database of reports to the agency, the 14.4 million ATX and Wilderness AT tires recalled last year have been associated with some 285 crashes and 123 fatalities. The 13 million tires in Ford’s recently announced replacement program have been associated with 37 crashes and 10 fatalities. The tires covered by NHTSA’s September 1, 2001 Consumer Advisory have been associated with a reported 15 crashes and five fatalities. The approximately 23 million remaining tires within the universe of tires covered by this investigation have, to date, been associated with eight crashes and 12 fatalities.1

Ford has now also provided data to NHTSA and to this Committee about tires that are not currently being subjected to extensive testing by NHTSA. Again, NHTSA expects to conclude its ongoing tire testing for this investigation next week. If, after assessing all available data, NHTSA concludes that an expanded testing program for other Wilderness tires is indicated, it will expand its investigative work to focus more scrutiny on those tires.

3. FIRESTONE’S ASSERTIONS REGARDING HANDLING OF FORD EXPLORERS

In Chairman Tauzin’s June 6 letter to NHTSA, he urged NHTSA to consider whether the safety problem now being investigated is “solely a tire issue, or whether it is a tire-vehicle application issue.” I would like to offer two sets of observations about this important question.

First, NHTSA’s inquiry has focused on tires because it is the tires that have been failing. As the Committee is aware, by law tires are treated differently from all other items of original equipment on vehicles. Defects in tires are to be remedied by the tire manufacturer rather than the vehicle manufacturer.

If tires were treated statutorily as part of the vehicle itself—as are headlights or seat belts, for example—the proper course of action would have been to launch an investigation of one or more vehicle models and any tires used as replacements. Moreover, and to be specific, NHTSA has had no credible evidence that the Ford Explorer’s design is in any way responsible for causing tread separation or other such catastrophic tire failure. Firestone has not, as I understand it, asserted this causal relationship.

NHTSA has to date therefore conducted this investigation as first and foremost a tire investigation. If it appears that the safety problem is limited primarily to crashes involving vehicles equipped with certain Firestone tires, then the most immediate and effective remedy under the law is to recall the tires.

Second, I would now like to turn to NHTSA’s examination of the handling characteristics of the Ford Explorer. As the Committee is aware, Firestone commissioned a study to look at the handling characteristics and rollover propensity of Ford Explorers after tire tread separation. Firestone recently informed the Department that it is conducting a study and simultaneously made public the results of the first set of its handling tests. Firestone has asked the Department to investigate its claims that the Ford Explorer is deficient in its handling under this situation.

Like other SUVs, the Ford Explorer experiences a higher overall rollover rate than passenger cars. In asking NHTSA to investigate the safety of the Explorer, Firestone has alleged that Explorers are more likely than other SUVs to experience an oversteer condition following a tread separation on a left rear tire and that an oversteer condition is likely to make a vehicle less stable.

Although Firestone has verbally stated to the Department that it did not intend to take the formal legal step of petitioning NHTSA to conduct an investigation, their written communication to NHTSA virtually constitutes such a request. Secretary Mineta and I therefore asked NHTSA to treat the Firestone request as if it were a formal petition. Consequently, at this stage NHTSA is conducting an analysis to determine if a formal investigation is merited.

The Department and NHTSA are giving this matter full consideration. NHTSA is reviewing Firestone’s information and has met with both Firestone and Ford to discuss in detail Firestone’s allegations. Last week, the agency met with the consultant hired by Firestone to conduct its tests. Firestone’s consultant recently advised NHTSA that he does not expect to complete his testing until the end of July.

Even before receiving Firestone’s request, the agency already had been reviewing field data from a variety of sources, including NHTSA’s own data collection systems, for the purpose of evaluating the likelihood of a rollover, given a tire failure, for both the Explorer and for peer vehicles. NHTSA has recently collected and is cur-

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1The eight crashes represent eight different tire models. In addition, NHTSA has data on an additional 53 total fatalities where the vehicle involved was an Explorer and/or there is enough tire information known to assume the tire involved is among those under investigation. Because the crashes are old or the tire was not saved, additional information is not available to categorize them properly.
rently evaluating accident data regarding various model years of the Explorer. NHTSA has not yet formed a view as to the validity of Firestone’s claims about the performance of the Explorer. NHTSA will assess the additional test data promised by Firestone in conjunction with other relevant available data. The agency’s goal is to complete its initial analysis of this data as quickly as possible this Summer. It will then decide whether to open a formal investigation.

We realize that this is an issue of great interest to the Subcommittees, to the manufacturers and the public. We will keep these Subcommittees informed as NHTSA brings this review to closure.

Mr. Chairman, I have now provided an overview of our ongoing Firestone investigation, the Explorer vehicle handling analysis, and the principles animating each. Portions of my testimony today may alternatively leave both Ford and Firestone disappointed that we do not have immediate closure on important issues. I know that we can, in both cases, count on their continued cooperation with NHTSA. As we continue to do our job in assessing these difficult issues, I hope we will earn the Committee’s confidence and that of the public who rely on the Department’s vital safety work.

Speaking for Secretary Mineta, you have our pledge that we will continue to conduct this work in a fair, impartial and thoroughly professional manner, always mindful of the urgency and importance of this effort. This concludes my statement. My colleagues and I will be glad to answer any questions.

Mr. GREENWOOD. Mr. Jackson, I know it is a heck of a thing to have you sit around for 6½ hours and ask you to wrap it up after 10 minutes.

Mr. JACKSON. I learned a lot.

Mr. GREENWOOD. But that’s the way it works.

Last year, NHTSA recommended a recall on several Firestone tires based on an overall claims rate of 12.6 claims per million tires produced. Some of the suggested tires had less than 3 claims, but the low production universe elevated the claims rate. This year, Ford is removing Firestone Wilderness AT tires from all of its vehicles based partially on identifying tires with a claims rate of more than five claims per million produced, a figure they say is an industry standard.

Do you agree that there is any such industry standards, and if so, is it 5 or 12.6 or some other number?

Mr. JACKSON. I don’t believe that we have exactly reached an understanding of a number, a single number that would be appropriate to use as an indicator of when to trigger a defect investigation. It is a variable, an important variable. But a single one such as that is not definitively established as sufficient for this purpose.

Mr. GREENWOOD. Mr. Jackson, you said that in your opening statement that NHTSA was considering whether to look into the combination of this tire on this particular vehicle. Last year in a Senate hearing, Senator Snowe asked Dr. Bailey, quote: “have you decided that it is a tire problem or a Ford Explorer problem or both?” and Dr. Bailey responded: “At this time, I think we are dealing with a tire problem, but as part of our investigation, we will also explore the possibility of a combination.”

Has that study not been conducted by NHTSA?

Mr. JACKSON. NHTSA has gathered some preliminary evidence on this, and the Firestone data is a part of that—a part of that work.

Mr. GREENWOOD. The companies are making use of their respective understeer and oversteer experiments. The question is, is there a baseline amount understeer that a car or SUV should have?

Mr. JACKSON. No, sir, we have not established as a recommendation of NHTSA such a standard.
Mr. GREENWOOD. I'm sorry, I was interrupted there. You have not yet decided whether there should be such a standard?

Mr. JACKSON. That's correct.

Mr. GREENWOOD. Are you working on—where do you stand on that? Are you probing that question?

Mr. JACKSON. That question is embedded in the question of whether we should launch a formal investigation in the case of the Explorer, and will be part of the preliminary conversation that takes place as we do our review. We are not conducting an investigation now. We are conducting a review. And part of that review would address this question inside the Department.

Mr. GREENWOOD. Well, understand, my question is not does the Explorer have an understeer or oversteer problem. My question is should there be a national standard set for steering?

Mr. JACKSON. We would like to be able to answer that question more straightforwardly as a result of concluding our preliminary review and report back to your our thoughts on that matter. It is definitely a new step that we believe Firestone is asking us to take, to regulate an area or to look at and evaluate an area where we have not historically had a role.

Mr. GREENWOOD. How much would the steering mechanism of the vehicle play a role in the vehicle's understeer or oversteer?

Mr. JACKSON. I would like to defer to one of my expert colleagues to answer that question.

Mr. WEINSTEIN. Well, I am not an expert vehicle dynamicist, a dynamics expert, but I would say it is possible that it could have an effect under various different circumstances. Whether it be in a tread separation, I don't know. And we will be working and looking at the data and seeing what Dr. Guenther comes up with and see whether or not steering inputs have any effect.

Mr. GREENWOOD. Much has been made throughout the hearing about this issue of claims rates. And I think most of us have come to the conclusion that claims rate is an only somewhat reliable piece of information. As I understand it, the claims rate is simply a function of how many people call NHTSA and supply information with regard to property and/or personal damage that result in a motor vehicle accident, and that rate could be affected by what happens in the media today. I wouldn't be surprised if our hearing results in additional claims.

Could you describe how NHTSA handles these claims and what you make of the information gathered from it?

Mr. JACKSON. Let me take a first cut at that. The claims rate definition is something that we are addressing in the TREAD Act regulatory work that we are doing right now. But the differences in the definitions, which really are those of the manufacturers, the tire manufacturers—and this data, by the way, is reported not to us initially, but to the manufacturers. They share data with us. This data has coalesced around a common understanding at least in the data that we are sharing with tire manufacturers that it is essentially a claim that we are looking at here for more than the value of the tire itself.

So in the Goodyear and Firestone data, there is, we believe, comparability at this juncture. We will address that more systematically in our regulatory work.
Mr. Greenwood. My time has expired. The gentleman—the Chair recognizes the gentleman from Michigan, Mr. Dingell.

Mr. Dingell. Mr. Chairman. I thank you. Gentlemen, is tread separation a common form of tire failure?

Mr. Jackson. No, sir.

Mr. Dingell. It is not. Is it regarded as catastrophic?

Mr. Jackson. Yes, sir.

Mr. Dingell. Can it be reasonably anticipated that if it's an SUV, it will roll over after tread separation?

Mr. Jackson. No, sir.

Mr. Dingell. In other words, you would assume that after tread separation, the vehicle is not going to roll?

Mr. Jackson. The data that Mr. Nasser discussed this morning says that approximately 10 percent result in a rollover in the event of a——

Mr. Dingell. Do you agree with that?

Mr. Shelton. Mr. Dingell, our data say that it is 10 percent I believe at the highest. In many cases it is less than that.

Mr. Dingell. There was a period of three model years, 1995 through 1997, when virtual equal numbers of Goodyear and Firestone tires were put on the Explorer. I understand there has been 1,183 tread separation claims for Firestone tires used in those model years, and only two tread separation claims for Goodyear tires were used in those same 2 years. Is that so?

Mr. Shelton. Yes, that's correct.

Mr. Dingell. That conforms with your records. Did either of the two claims on Goodyear tires involve loss of life?

Mr. Shelton. No, sir.

Mr. Dingell. Is there greater likelihood that tread separations will occur at low or high speeds?

Mr. Shelton. High speeds, sir.

Mr. Dingell. It is uncommon for them to occur below 35 miles an hour?

Mr. Shelton. Yes, it is typically a high speed phenomenon.

Mr. Dingell. So if somebody tested a tire at 35 miles an hour, they wouldn't get a good result, would they, if they showed up with a lot of tread separation?

Mr. Shelton. It is unlikely they would find tread separation at 35 miles an hour.

Mr. Dingell. You'd look kind of fishy-eyed at that particular kind of test, would you not?

Mr. Shelton. Yes, sir.

Mr. Dingell. Now, is there threshold level for tread separations that NHTSA recognizes as standard for judging when to recommend a recall?

Mr. Shelton. No, sir, we do not have such a threshold.

Mr. Dingell. The Wilderness AT tires recalled last year were all from Firestone's plant in Decatur, Illinois; is that correct?

Mr. Shelton. Yes, sir.

Mr. Dingell. The Wilderness AT tires were also made at Firestone plants at Wilson, North Carolina; is that also true?

Mr. Shelton. Yes, sir.

Mr. Dingell. I understand that the latest reports reveal that tread separation claims for the Wilderness AT tires produced in
Wilson, North Carolina, in 1996 have been extremely high, 100 parts per million. Is that information correct?

Mr. WEINSTEIN. I wouldn't say that it is necessarily 100 parts per million. We have looked at trends in the Wilson plant and——

Mr. DINGELL. Well, it's either true or not true or you don't know.

Mr. WEINSTEIN. I'll check it out——

Mr. DINGELL. Please give us the answer. I also understand that 16-inch Wilderness AT tires made at Wilson has a tread separation claims rate of 450 parts per million when used on the vehicle up to 5 years; is that correct?

Mr. SHELTON. We will have to check.

Mr. JACKSON. We will have to get those numbers.

Mr. DINGELL. That is correct?

Mr. SHELTON. We are checking that.

Mr. DINGELL. Okay. You will check that out. NHTSA also asked Firestone to recall its 16-inch Wilderness AT tire made at Wilson last year, did it not?

Mr. WEINSTEIN. 16-inch tire?

Mr. DINGELL. Yes, you asked them to recall the 16-inch tire.

Mr. SHELTON. No, sir.

Mr. DINGELL. You did not? Are you now prepared to say that NHTSA does not believe that the Wilderness AT tires produced at Wilson pose any safety risks for drivers and passengers who have these tires on their vehicles?

Mr. WEINSTEIN. We are in the process of completing our investigation and will be able to address that by this time next month.

Mr. DINGELL. All right. The rate of 100 parts per million is higher than the average rate for tires that have been recalled in the past year, is that not so?

Mr. SHELTON. Yes, sir. As I understand the rates of the tires that have been recalled are higher than that.

Mr. STEARNS. [Presiding] Excuse me, Mr. Dingell. There's two mikes. If you could spread the mikes and when you speak, make sure you speak into them.

Mr. DINGELL. Tread separations tend to occur in hot climate regions in warm weather periods of the year; isn't that so?

Mr. JACKSON. Yes, sir.

Mr. DINGELL. When will NHTSA have the work done to make a decision about recalling tires produced at Wilson?

Mr. SHELTON. We plan to complete our analysis for the entire investigation approximately 1 month from today.

Mr. DINGELL. Is that delay related to the fact that NHTSA does not have an administrator, acting or permanent, at this time?

Mr. SHELTON. No, sir.

Mr. DINGELL. It is not?

Mr. SHELTON. No, sir.

Mr. DINGELL. Currently NHTSA rates vehicles on the basis of their static stability; is that correct?

Mr. SHELTON. Yes, sir.

Mr. DINGELL. And no SUV that NHTSA has tested received higher than a 3-out of a possible 5-star rating; is that correct?

Mr. SHELTON. Yes, sir, that is correct.
Mr. DINGELL. It is my understanding that the 2002 model year Explorer will receive a 3-star rating from NHTSA. That is as high as any other SUV; is that correct?

Mr. SHELTON. Yes, sir, that is correct.

Mr. DINGELL. In prior model years, NHTSA gave the Explorer a 2-star rating; is that correct?

Mr. SHELTON. The earlier model Explorer was tested and got a 2-star rating, yes. Not prior model years, because we just started the program a few month ago.

Mr. DINGELL. Would you call a 2-star rating during those year good or bad?

Mr. SHELTON. It would be typical for an SUV. They range from 1 to 3.

Mr. STEARNS. The gentleman’s time has expired.

Mr. DINGELL. Thank you, Mr. Chairman.

Mr. WEINSTEIN. Mr. Chairman, could I clarify one of my prior answers? I misunderstood because of the way the prior conversation had been going with respect to tires on Explorers and Rangers, et cetera, when you asked me about had we recommended recalling a 16-inch tire from Wilson, I was focusing on that. On our consumer advisory list, the one that we issued last September 1st, we did include a 16-inch Wilderness AT tire that is used on a relatively small number of Ford 150 vehicles. It is a different size and different tire from the one that is used on Explorers. I apologize for that confusion.

Mr. DINGELL. What about the Explorer tire to which I was referring? Did you suggest that it should be recalled or not?

Mr. WEINSTEIN. We did not, and that’s certainly a part of our current investigation. The ones—the 16-inch tires used on Explorers made at Wilson or any place else were not included.

Mr. DINGELL. Could that investigation now ongoing result in a recall of that tire?

Mr. WEINSTEIN. It could lead to a request for that.

Mr. STEARNS. Let me offer my questions here. Just as a general, do we have enough resources at NHTSA to analyze and provide, in a timely fashion, information on this area and others?

Mr. JACKSON. Yes, sir, I think we do. And if we find that as these examinations increase that we don’t, I will come back and tell you.

Mr. STEARNS. So right now we have all the resources at NHTSA to do the job in your opinion?

Mr. JACKSON. Yes, sir.

Mr. STEARNS. And that is the opinion of your boss?

Mr. JACKSON. Yes, sir, I have not asked that question of him directly, but we have no conversations on the table about that issue right now.

Mr. STEARNS. Have you heard the discussion that we have had on this raw data that we’ve had here?

Mr. JACKSON. Yes, sir, I have.

Mr. STEARNS. If we give you this raw data, can you come back within 30 days and give us your analysis, or 2 weeks or 1 week or 1 day?

Mr. JACKSON. Mr. Chairman, in my prepared remarks, I volunteered that we could come back tomorrow and give you our prelimi-
nary analysis of that data and what we think it might take to give you a definitive answer to the questions that you are asking us.

Mr. STEARNS. In terms of the TREAD Act, do you think we should do anything more than that at this time?

Mr. JACKSON. No, sir, I do not have a recommendation for more right now. We have a pretty steep regulatory agenda ahead of us. We have many new and complex issues to work through with the industry. We will be keeping you and the members of this committee apprised, but I do not think anything more is needed at this point.

Mr. STEARNS. Were you here when Mr. Stupak was talking about claims versus safety and the nuance that once you talk about claims, it does not imply safety? Were you here?

Mr. JACKSON. Yes, sir, I was.

Mr. STEARNS. Do you think we need to have in Congress a better understanding, either legislatively, in your office, what claims mean in terms relative to safety or are they totally diverse, separated?

Mr. JACKSON. I think that we obviously have a little confusion here in the room and it seems natural that we should clarify this a little bit more. As part of our regulation, we are specifying a definition that would provide common data to us from the tire manufacturers. And so that is exactly what we are doing.

In the meantime, frankly, we have had these conversations with the tire manufacturers that we have been talking with as part of this investigation. And we believe we have a pretty common sense agreement about what that definition of claims would be.

Mr. STEARNS. Not only a definition, but once you give a claims quantitative answer, don't you have to list the contingencies that make up that claim?

Mr. JACKSON. Mr. Chairman, you are exactly right to understand that claims alone is not a single metric answer to the question of whether we have a problem. There are a multiplicity of factors that we have to look at to be able to dig into the question of whether a possible defect exists.

Mr. STEARNS. In the field experience chart prepared by NHTSA, by you folks—this is not our raw data, but which you prepared—you compare the Explorer model years 1991 to 1994 to the model years 1995 to 1999. Can you see it okay? Do you need a copy?

Mr. JACKSON. I am familiar with that chart, Mr. Chairman.

Mr. STEARNS. It would appear from this chart—and you heard me ask Ford Motor company—that the 1991-94 model had 50 roll-overs. The following number jumped to 87 for the 1995-1999 model year Explorer. Is this important statistics? You probably heard Mr. Nasser indicate it was just demographics. He didn't give an answer to it.

I guess the No. 1 question is, are you investigating this and what leads to this increase rollover number?

Mr. JACKSON. We are reviewing this data more thoroughly. And it is a statistically significant difference between those two numbers. And we are discussing this with Ford and among our own experts, to assess this data more carefully.

We generated this data, we looked at it and discovered that it is an issue that we want to dig into more.
Mr. STEARNS. How long have you known about it?
Mr. JACKSON. Since April.
Mr. STEARNS. Are you aware that Ford has changed the suspension on different model years?
Mr. JACKSON. Yes, we are.
Mr. STEARNS. Tell me briefly what that means.
Mr. WEINSTEIN. In fact, Mr. Chairman, that is why we separated out those. We knew that they had made a change. In model year 1995, they switched from what is called a twin I-beam suspension to what Mr. Nasser characterized a more modern type of suspension, an A-arm suspension. And they made other changes to the vehicle as well for model year 1995. So it is a somewhat different vehicle.
I am not here to tell you that an A-arm suspension automatically leads to more rollovers. I am not saying that at all. But that is why we broke out the two models.
Mr. STEARNS. But didn't the suspension occur at the same time as this chart? I mean, wouldn't it fall into those years, the 1995 to 1999 model year Explorer?
Mr. WEINSTEIN. That's correct. We did the data runs for the two separate categories. That is why we split the total Explorer population into those two groups, just to see whether or not there was any difference in consequence. What these are, by the way, sir, is the rollovers that occurred following a tread separation. So we wanted to see what the consequences of a tread separation would be on Explorers, on pickup trucks, on other SUVs, and that was why this chart was developed. And that is why we used different groups of Explorers as well.
Mr. STEARNS. You know, fellows, the taxpayers are hiring you to make some difficult decisions. And this is not a case where you are going to give an oblique or ambiguous answer. You are going to have to come up and risk and give some answers here so that the American consumer is safe. Do you think, based upon this chart, that it is worthwhile to investigate beyond tires, perhaps look at the role of other vehicles in rollover incidences?
Mr. WEINSTEIN. Not specific——
Mr. STEARNS. Does that warrant, in your opinion, that kind of investigation?
Mr. WEINSTEIN. Mr. Chairman not just from this chart but both the information in this chart, the information that Dr. Guenther has prepared, and all the information that is available to us. We will look at all of that and make that decision later this summer.
Mr. STEARNS. Okay. My time has expired. Mr. Stupak is recognized.
Mr. STUPAK. Thank you, Mr. Chairman. It's your testimony that this vehicle field experience, that relates to tread separations; right?
Mr. WEINSTEIN. It's what occurs after a claim—claims of tread separation provided by Firestone to us.
Mr. STUPAK. So Ford should have more crashes because it has the Firestone tires, which is alleged to separate, and that is what this chart reflects.
Mr. WEINSTEIN. Well, what we were attempting to do was to say if there is a tread separation, what is the likelihood of a cata-
a crash or a rollover. Only when you have a lot of tread separations do you have enough data to have statistically significant results.

Mr. STUPAK. These other vehicles, other compact SUVs and other compact SUVs without Bronco II, did they have the Firestone Wilderness tires?

Mr. WEINSTEIN. Yes, these are—everything on that chart reflects tires that are the subject of our investigation.

Mr. STUPAK. Very good. In—before Ford came out with their recall or replacement notice, did NHTSA have a chance to look at the tires that they were going to use as replacement tires? By that I mean you saw the list.

Mr. WEINSTEIN. They gave us the list after they advised us that they were going to do what they did. But we subsequently had the opportunity to look at the list.

Mr. STUPAK. Did you have an opportunity to discuss it with them? Did you voice any concerns about any of these vehicles—excuse me, replacement tires?

Mr. WEINSTEIN. They asked us whether we were investigating any of those tires. They subsequently asked us how many consumer complaints we had gotten about these tires. And I'm distinguishing from claims. This is like to our hotline. And we gave them that data. And then they went forward and did what they did.

Mr. STUPAK. Does NHTSA have any concerns about these replacement tires? That they may have a worse safety record than the ones that are being replaced?

Mr. WEINSTEIN. Well, sir, we will keep looking at that. At the moment, we don't have any such concern. We are not investigating them. But if we see anything—and we look forward to seeing the data that the committee was discussing before—we will certainly promptly advise the committee as well as Ford.

Mr. STUPAK. So the data that you may receive from the committee, you don't have any idea if these tires are more dangerous, less dangerous, or insufficient information to make a judgment call?

Mr. WEINSTEIN. At this point, we have no evidence that would indicate that they are dangerous.

Mr. JACKSON. Congressman, I would like to give a gloss on that point. Mr. Nasser earlier said that he made the full portfolio of customer service actions, in effect, covering a wide variety of performance data for the tires that are in that customer service action. Necessarily, some of those tires, as he admitted, were not tires that indicated substantial failure.

So if we find that some in that pool of Ford actions are comparable to other tires out there in the replacement, it's not prima facie a surprise to us because of the nature of the way they made their decision and the data that was available to them on some of the newer tires.

Mr. STUPAK. Did they—did Ford give you the data that they had on these replacement tires or they just asked you about——

Mr. JACKSON. I don't believe we exchanged that data. They just asked us for some of the information we have described to you, sir.
Mr. STUPAK. So it's your testimony today that there are no other tires that you are looking at for tread separations other than the Firestone tires.

Mr. WEINSTEIN. No other tires that are on that list. We do have two pending investigations about tires called light truck tires, a Firestone tire and a Goodyear tire.

Mr. STUPAK. So no other on that list, then.

Mr. WEINSTEIN. Right. Right.

Mr. STUPAK. All right. In answer to some questions by somebody, tread separation or a tread failure, very seldom does that happen; right?

Mr. JACKSON. Yes, sir.

Mr. STUPAK. Would a blowout occur more often on tires than tread separations? If you know?

Mr. WEINSTEIN. Mr. Lampe says no, and we don't dispute that. We don't keep track of that. We couldn't tell you how many blowouts there are.

Mr. STUPAK. Mr. Lampe also said that tread separations are common occurrence. And he cited some quotes from Goodyear.

Mr. JACKSON. Yes, Congressman, consumers normally wouldn't report a blowout to NHTSA. All of us have had flat tires in our lives and I don't call NHTSA when I have a flat tire.

Mr. STEARNS. The gentleman's time has expired.

Mr. JACKSON. Yes, sir.

Mr. STUPAK. Correct. Thank you.

Mr. STEARNS. Mr. Shimkus is recognized for 5 minutes.

Mr. SHIMKUS. Thank you, Mr. Chairman. We have defined or used the terminology, "parts per million," which I think refers to claims per million, connected with last year's original recall where we also asked how come insurance data wasn't getting to NHTSA. Part of the Tire Act was to get information. And I think that is what we are kind of wrestling with too is new fountains of information, some coming from the insurance industry, some coming from individual testing, either by you all or by the industry.

I was intrigued with the debate or the discussion on the tires on the SUVs and the Ranger pickups with Mr. Dingell with Mr. Lampe. And the basic premise was: same tire. It goes into the debate of standards and specifications.

Do we want to micromanage tire standards through Federal regulation?

Mr. JACKSON. We, as part of the TREAD Act, we were asked to look at the tire standard that we have out there, and we believe that we should look at that and that it can benefit from another look. We are not trying to design tires—to provide a "performance spec" for a tire to be made for a given vehicle.

So there is a degree of appropriate work that we have to do here, but we are not in the business of designing tires nor of specifying the requirements for a given tire-vehicle combination.

Mr. SHIMKUS. So what do we expect to receive from your evaluation? Or what do you think you might present to us? If you are the National Highway Traffic Safety Administration, an element of the Department of Transportation, we have independent corporations send us—establishing specifications to tire industry individuals
who establish the exact standards for a multitude of different vehicles. What do you think you are going to accomplish?

Mr. JACKSON. We currently have a tire standard, and perhaps I could ask my colleague to give you an overview of that standard and exactly what we are looking at for changes in it.

Mr. SHELTON. Yes, Congressman, as part of the TREAD Act, we are going to upgrade our tire standard. As it was discussed in this committee’s hearing last year, the existing NHTSA tire standard has been essentially unchanged since 1968. And as one of the provisions of the TREAD Act we are upgrading that standard. And we will issue a proposal this summer, I think late this summer to actually upgrade that tire standard, because under TREAD, we have to get that rulemaking completed by next June.

So that right now, under the NHTSA tire standard, there are high-speed tests, there are endurance tests, there is a debeading test. There is another test that is escaping me right now. But all of those tests will be upgraded as part of our proposal this summer.

Mr. SHIMKUS. But that will be a floor, in essence.

Mr. SHELTON. Yes that, will be a floor, sir.

Mr. SHIMKUS. So if the automobile industry wants more bells and whistles on their tires, they at least have to meet the floor of the basic standards for all their tires.

Mr. SHELTON. Yes, sir, for all their tires.

Mr. SHIMKUS. Thank you. You know, this is the whole chicken-and-the-egg debate on the tread separation and then steering problems, oversteering problems, maybe crashes, deaths, injuries, at least. So we are talking tires, but we are also talking, you know, the Ford Explorer and some of the engineering there.

Both companies conducted the same tests, which is the radius circle test in conformance with the Society of Automotive Engineers guidelines. However looking at the charts presented by both companies, they reached opposite results. How can we discern—how can we, as Members of Congress, discern which is correct? And then the follow-up question: Will you be able to discern which is correct?

Mr. WEINSTEIN. Well, I don’t think it is a question of which is correct. We will look at all of that information and maybe all of it is persuasive to some degree or less degree than the other. Plus there will be a lot of other additional information and we plan to doing that expeditiously and having an answer as to whether we should open an investigation. We are not going to simply be choosing between two different tests used by Ford or Dr. Guenther.

Mr. SHIMKUS. And that is why we are having a hearing to help us clear the smoke. And I thought the whole hearing today would do that. For a while it got a little smokier. Maybe we are clearing it up at the end of the day, but we appreciate your work and look forward to your report.

Mr. STEARNS. The gentleman’s time has expired. The gentleman from Florida, Mr. Deutsch.

Mr. DEUTSCH. Thank you, Mr. Chairman. The other two panels, I asked this question. I want to ask it to you as well. What should the experience of a driver be in a situation of tread separation? I mean, should the driver be able to handle the vehicle to get to the shoulder of the road or what should the experience of a driver be?
Mr. WEINSTEIN. I don’t know that you can say what it should be. The data seems to indicate that in most occasions, the driver is able to get to the side of the road without a catastrophic crash. Unfortunately that is not always the case. It probably depends what the driver does. It might depend on the speed. It might depend if he is in a curve at the time. It might depend on the other traffic. There are a lot of factors that go into it. But it does not automatically lead to a rollover in any vehicle, the Explorer or anything else.

Mr. DEUTSCH. Do we have information—I mean, you mentioned a bunch of factors. Do we have empirical data to support that? Have we looked at ones that are not catastrophic versus the ones that are catastrophic and how does the driver reaction differ?

Mr. WEINSTEIN. Well, we don’t have—I can’t quantitatively discuss that. We are going to be doing some analysis in our simulator as to how a driver reacts under certain circumstances, including a tread separation. That work is supposed to start, I believe, later this month or next month. We have expedited that and put it at the head of the line.

Mr. DEUTSCH. Mr. Shelton, did you want to add something to that?

Mr. SHELTON. Yes, I think this chart that the committee put up illustrates that. When you look at claims per rollover, that is how many claims it takes to generate a rollover. So higher is better. That is, you are less likely to have a rollover given a claim. But even for some of the lower numbers, claims per rollover, 11.9. That means 11.9—it takes 11.9 incidents before you have a rollover. That, I think, alludes back to Mr. Nasser’s testimony where he said less than 1 out of 10 results in the vehicle actually rolling over.

Mr. WEINSTEIN. If I could just expand on that, those are only claims. There are probably a number of tread separations that don’t result in a claim as we defined it before. So the numbers are probably even somewhat smaller.

Mr. DEUTSCH. One of the things that seems clear is that there are other countries that we could have gained information from their data. Is there any attempt at all in a formalized mechanism to coordinate with other countries their claims data?

Mr. JACKSON. Yes, sir, that is one of the improvements of the TREAD Act, to be able to get us relevant data from tire manufacturers and from vehicle manufacturers as soon as they, themselves, have such relevant data.

Mr. DEUTSCH. Now, at this point, again, have we gotten any overseas claims data since the TREAD Act went into effect?

Mr. WEINSTEIN. Yes—not claims data. We have gotten recalls and service actions that occurred in foreign countries. That is in effect right now, and manufacturers have been notifying us if they do a recall, say, in Europe that affects vehicles that are for sale in the U.S.

Mr. DEUTSCH. Would it make any sense at all—again, so we are putting the onus on the manufacturer as opposed to you folks from a country-to-country basis. Is there any reason to do it on a country-by-country basis, or is it not practical or not necessary?

Mr. WEINSTEIN. Well, it would be helpful, and we have made some inquiries in that regard. However, most other countries do
not have the same kind of defect system that we do and the same governmental oversight over their manufacturers in terms of directing them to do recalls. They have different types of systems. And the data just isn't necessarily collected by governmental agencies.

Mr. DEUTSCH. As we are sort of ending this hearing—and I appreciate you sitting through the many hours that we have been here today—part of the hearing is, as the chairman mentioned, at the start of this hearing is to try to inform the American people. Is there any parting words that you would want to give consumers at this point in time in terms of safety issues on existing Ford cars, or for that matter, existing Firestone tires?

Mr. JACKSON. We appreciate very much, Congressman, the focus that this committee has on the consumer. That is our focus. We are working for you as well to give the consumers clear, concise, responsible scientific data. We can't rush to judgment, but we are close to judgment and we will speak comprehensively, and I believe authoritatively, soon.

Mr. DEUTSCH. Let me add one final question. I see my time is running out. In January, NHTSA issued an advanced notice of proposed rulemaking establishing a preliminary plan for gathering information on deaths, injuries, crashes, lawsuits, consumer complaints, et cetera, by make and model of vehicle and by potential defects. This is a critically important rule for the consumer. What is the status of that rule at this point?

Mr. WEINSTEIN. Congressman, we have received comments. We have a 60-day comment period. We have analyzed the comments and summarized them. We are preparing now to put out a notice of proposed rulemaking, now that we have a little more focus on the issues. That should be later this fall.

Mr. DEUTSCH. All right. So the final rule should be this fall?

Mr. WEINSTEIN. No, that would be the notice of proposed rulemaking. Under the TREAD Act, the final rule must be out by the end of June of 2002, and we will make that deadline, hopefully earlier. But it is a very complex issue as the summary that you just read indicates.

Mr. STEARNS. The gentleman's time has expired. The gentleman from Michigan, Mr. Upton, is recognized.

Mr. UPTON. Thank you, Mr. Chairman. I thank you all for the kinds words about the TREAD Act. And as you go back and in particular, in your responsible job now, one of the actions that was responsible for us moving on this action was the history of the recall of Firestone 500 tire back in the 1970's. This committee held hearings back then, and yet nothing was done in terms of legislation.

There has been reference made to the 68 tire standard. I was trying to think where I was in 1968, I didn't even worry about having a draft number back then as I was still in junior high school. And the tire standards, obviously tires have changed quite a bit from 1968 to where they are today. And our focus last year was to identify whether we did have a problem. We did. And now new data, more than 200 deaths because of the Firestone tire, and to implement legislation to correct the problem so that it would not happen again.
And I think every member on this panel, Republican and Democrat worked so hard to pass that in a very strong bipartisan way in both the House and the Senate without dissent at all. As we look back, look at the situation today, we know that it’s working.

It was important to give you all the resources so that you could develop the new standards that have to be met. And I know as we think about some of the questions today, I wanted to clarify one of the answers that you gave earlier, I think it was to Mr. Dingell that in the years 1995 to 1997, were there 1,183 Firestone tire separations—tread separations versus two by Goodyear?

Mr. JACKSON. Claims.

Mr. WEINSTEIN. Claims.

Mr. UPTON. Claims, I’m sorry. The report that was in some of today’s papers—and you all have indicated that you are going to be starting to work on that tomorrow and give us answers as soon as you can with regard to information on the tires that Ford is replacing, the Firestone tires. Have any of you ever heard of—have you heard of any of those questions before today, before opening the paper at your doorstep this morning? I mean, I woke up in Denver at 5:30 and saw it in USA Today.

Mr. WEINSTEIN. I think last night, I heard that there was a question about it. But, I mean, I am talking about 6 at night, a reporter called and said it was going to be in the paper. But so I guess that is before this morning.

Mr. UPTON. Did you all comment on this story at all? Again—

Mr. JACKSON. No.

Mr. WEINSTEIN. No, we don’t have enough information.

Mr. UPTON. Well, I certainly look forward to getting your response to the information that may be shared with you, the evidence and take us where the facts take it because it is important that you have the resources so that every American knows that whether it is a Ford or a Chrysler or a GM or Honda, that, in fact, the tires that they have are safe and they are not going to have to fear for their lives or their family’s lives when they go to a soccer game or little league game or to and from work.

I appreciate your work. I look forward to working with Chairman Stearns as a member of this subcommittee as we continue to oversee the actions of the TREAD Act. I believe that NHTSA has to be reauthorized this year, so we will look at pros and cons of where we have to go and make sure that the bottom line is that you have the resources to give the American public the confidence that they must have in your jobs as overseers of this important agency. I yield back the balance of my time.

Mr. STEARNS. The gentleman yields back the balance of his time.

I would also point out that he was one of the authors of the TREAD Act. We in Congress appreciate all his efforts and are glad to see that it is working.

In the procedure of the House, this committee, members who serve on the subcommittee go before the ones who don’t. So in this case, Mr. Bilirakis would go and then Mr. Sawyer, if he would be patient, he will finish up. Mr. Bilirakis from Florida.

Mr. BILIRAKIS. Thank you. Thank you, Mr. Chairman. Let me, in the process of your continuing analysis, your study of this problem,
are you intending to look at the vehicle as well as the tire, the interaction, in other words, of the two?

Mr. JACKSON. Congressman, as part of our ongoing Firestone investigation, the vehicle is not, per se, part of that investigation. We are going to complete the tire investigation and announce that in approximately 1 month.

The other issue, about understeer/oversteer in the Explorer vehicle, is at a much more preliminary stage. We have received, in effect, a petition from Firestone asking us to look into this question, so we are in a preliminary review stage to decide whether an investigation is merited or not. So in that regard and in a less formal mode at this juncture, we are looking at those issues.

Mr. BILIRAKIS. But it seems I—and, again, first of all, I probably—I chair the Health Committee, and I have got my plate full and then some with so many other areas, prescription drugs and managed care reform, et cetera, et cetera, so I haven’t spent the time on this issue that so many other members of this committee have, and I am the first one to admit that. But it just seems to me that logically, where there is a chance that there is some sort of—that maybe there might be a design flaw of some sort in the vehicle, and the interaction with the tire causes this would basically almost follow that you would, in the process here, take a look at that also.

Mr. JACKSON. Prior to this point, Congressman——

Mr. BILIRAKIS. I don’t represent either one of these companies in my district.

Mr. JACKSON. No, sir, neither do we. We are with you. We have the same intention. And honestly, I believe both parties have the intention of protecting the safety of the public. I do think that is important.

We have not to this point thought that there is evidence that directs us toward a vehicle defect investigation. We are now looking carefully, responsibly, quickly, at a series of data that has been presented to us, and also some data that we have reviewed ourselves as has been shown on your display. And if we believe that a defect investigation is called for, we will launch that formally and expeditiously. But there has not been a conviction at NHTSA up to this point that such an action was appropriate.

Mr. BILIRAKIS. Well, there are people out there who feel that that ought to be done. And I am not just referring to Firestone necessarily. I have had—I have had tire retailers who are not in the business now, so they have no axe to grind, but who have sold all of these tires at one time or another over a period of time who basically said to me, hey, there may be a problem with the vehicle.

So I would suggest that. Well, very quickly, take a look at that chart, and I see the claims 1201 and then 1031 for those two different periods of time. Is that an unusual number of claims?

Mr. WEINSTEIN. It’s a very high number of claims.

Mr. BILIRAKIS. Very high number of claims. Well, you know, I raise the question with all due respect. You know, it’s National Highway Traffic Safety Administration, and then, you know, there are State Farms referrals in July 1998. We’ve had the history going back for a few years, all the way back to that period of time at least. It seems to me that—my two sons—I have two sons—both
bought Explorers a few years ago at the same time thinking they could probably get a deal with a Ford dealer and they didn't get a deal at all, it turned out, but they have had a lot of problems with that car—those cars.

And when I think of my four grandchildren riding in those vehicles and something like this potentially happening, so I guess, you know, I often times ask myself what is the role of government or what should be the role of government? I'm certainly against too much government and that sort of thing, but it seems to me with this kind of history, that we as a Federal Government have a role here to get involved a heck of a lot earlier, and to at least communicate to the public. I know that you use the term, Mr. Jackson, we can't rush to judgment. And you're right. But I'm disappointed, frankly, that maybe we didn't take an earlier role in this regard.

I think that really calls for it——

Mr. Weinstein. We, of course——

Mr. Stearns. The gentleman's time has expired.

We recognize the full Chairman of the committee, Mr. Tauzin, the gentleman from Louisiana.

Chairman Tauzin. Thank you, Mr. Chairman. Mr. Jackson, welcome sir. And, again, I was not here for your statement. I apologize. I had to go out to a leadership meeting this afternoon, but I do want to thank you, first of all, for private comments you made to me about your appreciation of the TREAD Act and the new authorities and the new, not only responsibilities, but dollars and all of those efforts we've tried to make to give your agency the power and the authority to take charge of some of these issues.

You've sat here and you've heard how frustrated we are with the fact that these two mighty companies that are trading information that sometimes differs, and it is sometimes based upon supposedly the same testing criteria. And I think you understand how deeply we will depend upon your agency to settle some of these questions for us and the American public. We deserve to know the information we're getting in these kind of recalls and replacements is, indeed, totally valid information, unfettered by any kind of personal disputes that may be going on between these two very large companies.

In that regard, I also wanted to clarify with you your comments regarding the information our staff has developed on replacement tires. We obviously are deeply interested in getting your take on the information we've developed from the raw data we received, and my understanding is that you've committed to this committee to begin immediately reviewing it, analyzing it.

Mr. Jackson. Absolutely, Mr. Chairman. We will start tonight. We'll look at the data we take home with us, and we'll meet first thing in the morning and whack away at it.

Mr. Stearns. Would the gentleman yield? They indicated they might have something for us tomorrow.

Chairman Tauzin. That would be excellent. Obviously, it's not—it's our intent, obviously, to get this information out as rapidly as we can, but we wanted to be real and meaningful, and you can, again, help us make sure we're not a party to confusing Americans about some of this data, which has been my big concern.
I also want to point out, however, that—in a question you may have answered to Mr. Upton as to when you all found out about this, that NHTSA itself supplied us with data indicating some of these concerns. For example, you supplied us with data on the Goodyear Wrangler HT that is used on the F-150, Expedition, and Bronco. That has a 13.7 per million claims ratio, which is in excess of a five claims per million that Ford used as a benchmark.

You also submitted to us information that the General Grabber APXL manufactured in Charlotte, admittedly a small run of only a half million tires, but nevertheless, a nearly 11 per million claims rate, indicating that yours—and both of these are replacement tires. So information we have—that has troubled us has come, in part, from you. I don’t want you to think that we just pulled it out of the air. This is data you submitted to our staffers indicating that at least two of these replacement tires have claims ratios in excess of the five per million used as a benchmark by the Ford Motor Company in its recall decision. Are you aware of that?

Mr. JACKSON. Yes, sir. We acknowledge that some of the data that’s been discussed here as part of this conversation is data that NHTSA has also obtained and has shared with you and your staff. To go to the larger question we need an architecture of how to pull together the relevant variables that will help us assess this data in a coherent and clear way, and that’s what we propose to try to give you a summary of in the morning or in the afternoon tomorrow.

Chairman TAUZIN. You should also know that our staff’s evaluation went beyond the years 1993 to 1998 in which you had information on one of those tires on the years 1995 to 2000 as you had on another tire. We supplemented that with some of the raw data that we’ve obtained, and we’ve, again, analyzed different numbers over the stretch, but numbers again that we would like you to look at——

Mr. JACKSON. Yes, sir.

Chairman TAUZIN. [continuing] and to come back to us on. Again, it’s critical—I want to make sure everybody understands this. It’s critical that you help us resolve what these numbers mean. If a replacement tire is in fact safe, despite these numbers, if, for example, the claims data is all about minor property damage rather than injuries and deaths, that makes a difference.

If, on the other hand, this claims data is accompanied by personal injury and death claims, it may have a much larger significance, and you have a lot of that information, and we obviously are counting on you to wrap that around the information we’ll give you so that we can get a clear picture of this.

One final thought, and I’d like your response on this. We have obviously focused in the TREAD Act on the notion that the more your agency does in the kinds of testing that Ford says it did, extensive pressure heat, psi speed testing to take these tires to the limit, so that the American public knows in advance that a tire is either safe or potentially not safe, so that we’re not relying upon post mortems in making decisions on recall, is a vital part of the reforms we initiated. I simply want your response on that. Is the agency properly gearing up to do what Ford Motor Company apparently felt a need to do on its own? And the answer I hope you give
me in a second is more important because of what we've seen in this Ford recall, because if we're going to count on the companies to do it, we'll never know how accurate and how comparable and how fair and how unbiased some of these tests and reports are when companies are running tests out of their own labs and challenging one another as to accuracy. We have to depend upon your agency, and so I'm asking you, are you gearing up, will you be in good position to begin doing this instead of us having to rely upon Ford tests and Firestone tests to make our decisions here?

Mr. JACKSON. Mr. Chairman, absolutely we are committed to this, and absolutely we have launched this type of work. The work that we're doing now on the Firestone tire investigation is the most comprehensive, complex and sophisticated analysis that NHTSA has ever undertaken on a tire-related issue. So we're working it now, and I want to take this chance to say to you in person and public how much we have appreciated the resources and the tools that you've given to us in the TREAD Act, and we are committed to implement those tools on time and to work—you have my personal commitment and that of Secretary Mineta that this is a priority of the Department of a significant order, and I'll be watching it, and he will too.

Chairman TAUZIN. Well, for a guy named Michael Jackson, you're singing a good tune.

Mr. STEARNS. The gentleman's time has expired. The gentleman from Massachusetts, Mr. Markey.

Mr. MARKEY. Thank you, Mr. Chairman, very much. Your agency needs a lot more money, doesn't it, Mr. Jackson, a lot more people to meet, all these deadlines, and to do a lot more things that come to your attention, what this committee might not know about?

Mr. JACKSON. Congressman Markey, we have a very important set of responsibilities at this agency, and some of those we have not pursued as quickly as I would like to see us do, and where we need some more resources, this administration is not going to be bashful about coming to the Congress and telling you exactly where we need them and what we have to do with them, but I do hope to accelerate the pace of our regulatory work, which is absolutely indispensable to the country.

Mr. MARKEY. The problem that I think many of the committee members have is that while you, speaking for the administration, say that you won't be bashful, on the other hand, there hasn't been an administrator named for the first 5 months. So you can imagine the confidence coefficient that our committee has looking at this agency in administration at this point is at an historic low point, because obviously we would want this agency to have had a gold star put over its forehead, given what had just transpired in the preceding year and all of these rulemakings, which have to be finished over the next couple of years. For example, it's my provision that calls for a dynamic test to be done.

Mr. JACKSON. Yes, sir.

Mr. MARKEY. Now, there's a 2-year window that you have to get it done, but obviously if you can get it done in 1 year, then that many more people's lives would be saved, injuries avoided.

Mr. JACKSON. Yes, sir. This is—if I may say, this is my second tour of duty at the Department of Transportation, and I have a
sense, honestly, of the depth on the bench that we have among the career people who are doing this type of analytical work. I want to assure you that from the very beginning of his tenure, Secretary Mineta has had to focus on these issues. In fact, one of the reasons that we have not had an administrator in place yet is that we launched a very extensive, nationwide search in cooperation with the White House to find an extraordinary candidate for this job, and the President announced his intention to nominate such a man yesterday. But in the interim, there has been no slacking off or resting on our laurels or sitting around on the core questions, and particularly the question that you——

Mr. Markey. When will the dynamic testing——

Mr. Jackson. We will meet or beat the statutory requirement for implementing that rule.

Mr. Markey. So 2 years is not your goal? It's a shorter time period than that?

Mr. Jackson. I will tell you that I'm an impatient man. I want to beat every single one of them that we have on the books, and that is the approach that we're taking in our conversations to get this done quickly. These are urgent and important things to do.

Mr. Markey. A lot of members of this committee side, on the Republican side especially, want to put real deadlines on the Federal Communications Commission. They have to approve or disapprove every merger within 60 days. Every rulemaking has to be completed within a very brief period of time. I would like to see—then there nobody dies, you know, if a cable service is delayed an extra 30 days, you know. Here I think there's a real urgency——

Mr. Jackson. Yes, sir.

Mr. Markey. [continuing] that attaches to the work that you do.

Mr. Jackson. Absolutely.

Mr. Markey. And I would hope that you would ensure that it happens faster than 2 years.

Mr. Jackson. I have a 6-year-old daughter at home that rides around in the type of vehicles that we've been talking about today here, sir, and I believe in my bones that this is an absolutely indispensable and urgent focus for us to take on in this safety mandate that we have and——

Mr. Markey. Well, here's a question that I'm sure every American who owns one of these vehicles and is now driving around in it, having purchased it with the notion that they could strap their children into the back seat and it would be safer than in some small vehicle. When it turns out ironically that the children are more vulnerable, because of this rollover propensity and the fact that there are no roof crush regulations that are on the books.

Why doesn't NHTSA begin a proceeding to put tough roof crush standards so the roof just doesn't collapse in on these family members? It's a 30-year-old standard that we're all living with and dying with now in the United States. It was before the advent of the SUV, and so now we have this vehicle that's out there. Now one in four vehicles coming out in the road or more are SUVs, and so all of these families are putting their children into vehicles without any roof crush or rollover or crash worthiness standards that are on the books.
Mr. JACKSON. Congressman, I asked this same question, and we——
Mr. MARKEY. Who did you ask?
Mr. JACKSON. One of my colleagues at NHTSA when I got to the department, and we have been working on this for some time, and I’m jumping the gun a little bit, but happy to tell you that this summer we will be publishing a notice in the Federal Register that summarizes the data, the information that we’ve gathered about the roof crush issue and solicits in a formal way input that could lead to a formal review of those standards and issues.
Mr. STEARNS. The gentleman’s time has expired.
Mr. MARKEY. May I, Mr. Chairman, just have 30 additional seconds?
Mr. STEARNS. Absolutely.
Mr. MARKEY. I think he has just made big news here today, Mr. Chairman, if I may, in terms of an advance that I don’t think anyone anticipated coming into today’s hearing room. So do you anticipate that that will lead toward the promulgation of a rule dealing with——
Mr. JACKSON. We’re going to get that data in, and we will assess it, and I would not like to forecast or speculate about the choices or options that we would make, but it will certainly create a public record that helps us evaluate, in a reasonable amount of time, this issue.
Mr. MARKEY. And, again, knowing that there hasn’t been an upgrade of this standard in 30 years, is it fair to say that you believe it’s time for us to review that standard and to update it?
Mr. JACKSON. I think it’s time to do exactly what we’re going to do, get this conversation going in the public arena with the information that we have on the table suggesting to us that we need to take a very, very careful look at it.
Mr. MARKEY. He’s made less news than I thought he was making, Mr. Chairman.
Mr. STEARNS. Sounds like a——
Mr. MARKEY. I will listen more carefully the second time and——
Mr. JACKSON. I’m not trying to——market.
Mr. MARKEY. And I’ll say this. I think it’s a mistake that you’re not doing it. I think you could do it on your own. We now know that thousands of lives could be saved if you put this standard on the books and the industry had to meet it, and we know that if they could increase the weight in these vehicles from 5,000 to 5,600 pounds over a 5-year period. It’s not that they’re afraid to add extra weight to the vehicles, because we know they’re not concerned about fuel economy standards. They’re the least fuel-efficient vehicles on the road. They’re just packing it with all this additional weight. But all we need is a bar over the head of these families, so that when the vehicle rolls over because of its propensity, that their lives aren’t going to be unnecessarily lost. So I think you should do it. I think you’re making a big mistake if you don’t and you’re going to be held accountable.
And second, if it’s a cost issue, if you don’t have the money, you should ask us for the money. We’ll give you the money to put something this important on the books. I appreciate the fact that you’re commencing. I can see from your testimony today the sincerity of
your interest on the subject. I hope that we can help you to be successful inside your administration and——

Mr. JACKSON. Thank you, and we’ll seek that help.

Mr. Chairman, if I just may, on this issue I am not trying to equivocate or be cute. I am trying to be responsible and tell you that this really is an important issue to look at and to reserve judgment about exactly how to proceed once we launch this conversation publicly.

Mr. MARKEY. Then I take that, Mr. Jackson, as a good faith, you know, promise to the committee, and I thank you for volunteering that information.

Mr. JACKSON. And I know of your interest in it. If you would like me to keep you personally involved and informed about what we’re doing, then I would be happy to do that.

Mr. MARKEY. I would appreciate that. Thank you, sir. Appreciate it.

Mr. STEARNS. All right. The gentleman, Mr. Sawyer, is recognized for 5 minutes.

Mr. SAWYER. Mr. Chairman, some day I hope to be able to stretch 5 minutes as well as my colleague from Massachusetts.

Let me just say, first of all, thank you very much for your testimony here today and for all of the work that you have been doing. I have to confess that I am both troubled and comforted by what you’ve said here today. I am comforted by your willingness to go beyond what you have been requested to do to look at the questions of vehicle interaction with tires, and I think that’s important for you to do. I’m troubled, in that you seem to operate from the presumption that it is the tire that fails and therefore causes the difficulty with the vehicle. I think that may well be true. But it is also true that the behavior of the vehicle affects the performance of the tire and may, in fact, be a causal factor in the failure.

It is—it is true that the tire standards have not changed since 1968, and the change in technology has been enormous. Simply going from bias to radial technology has been enormous. It seems to me that the testing protocols that go with that change in technology need to change as well and that the kind of in-depth analysis that you’ve listed in your testimony, the shearography, the sectioning, the adhesion testing, the rig testing on drums, important dynamic testing in its own right, but not vehicular dynamics. Chemical analyses and other physical measurements are all important, but we simply need to get to an understanding of the way each of the products affect the performance of the other.

If I could only suggest—you talked about the importance of the relevant variables. If you simply look at the difference in weight distribution between the Explorer and the Ranger, it seems to me that there may well be a reason to understand the difference in rear tire performance because of the polar moment of inertia that comes at the loss of adhesion. It’s critically important.

Let me just turn in conclusion to—and then if you want to comment on any of this, please feel free to. If—when you were asked about any advice that you might give to the American people, I hope that the next time you’re asked that, you will reply, inflate your tires; check them regularly; it has a profound affect on their
life and their performance, and it may have a profound affect on your life as well. Any comments?

Mr. JACKSON. I couldn't agree more with that.

Mr. SAWYER. Thank you very much, Mr. Chairman.

Mr. STEARNS. I thank my colleagues. We are now at the end of this hearing that has lasted almost 7½ straight hours. I want to thank the staffs on both sides for an excellent job of preparation. I want to thank you, Mr. Jackson, and your colleagues for waiting through this period. I think we've had a very thoughtful hearing. You've indicated you have the resources so that you can go ahead and accomplish what needs to be done. I also believe we've posed important questions for the American public by hearing both sides of these issues.

And in the end, you are the impartial body. You are responsible to make sure that the real answers come forward and not us on either side. So we're relying on you, because ultimately, the vehicles and the tires are going to be safe because of your work. So it's a very serious project you have before you. So I want to again thank you. I also want to thank my chairman, Jim Greenwood from Pennsylvania for his cochairmanship. And with that, the——

Mr. SAWYER. Mr. Chairman?

Mr. STEARNS. Yes.

Mr. SAWYER. I just wanted to thank you very much for the opportunity to participate. Because it has been so long, I'm even more grateful for the chance to——

Mr. STEARNS. Well, we particularly appreciate your staying through the whole 7½ hours.

With that, the two subcommittees are adjourned.
[Whereupon, at 5:50 p.m., the subcommittees were adjourned.]
[Additional material submitted for the record follows:]
While the tire industry digests the magnitude of Goodyear Tire & Rubber Co.'s new five-year plan, Bridgestone/Firestone Inc. is now enjoying the results of its own five-year plan.

In that time, production doubled. Earnings increased more than thirtyfold. And sales are up 30 percent.

On Friday, the Nashville-based subsidiary of Bridgestone Corp., the world's largest tire maker, reported second annual sales of $7.1 billion and second earnings of $207 million for 1997.

"We're quite satisfied with the results," said Moonsoo One, Bridgestone/Firestone's chairman and chief executive officer. "And we hope to continue to improve at the current level."

It was 1992 when Bridgestone/Firestone began its turnaround. It opted to move its headquarters from Akron, Ohio, to Nashville, Tenn., to get a new lease on its corporate life. That year, the company turned a $6 million profit, after losing $1 billion over the three previous years, and managed sales of $5.2 billion.

One said last year's results show the improvement of cost-cutting and increased sales in the five-year period. During that time, Bridgestone/Firestone was the target of a brutal strike, the longest in the history of the rubber industry.

Bridgestone/Firestone officials are now eager to put that behind them, and to focus instead on future growth and new products.

The company is in the process of building a $435 million tire plant in Aiken, S.C., which will produce 25,000 tires daily when completed next year.

One said the new plant will reduce Bridgestone/Firestone's dependence on imported tires from Japan.

"The sales growth and business growth supported the need for local production," One said. "We cannot cope with the current demand now."

One said the company plans to take aggressive steps to increase that demand this year.

Bridgestone/Firestone plans to introduce four products this year, including a new version of its high-performance ice tire called the Blitzah, which uses the company's patented UNF-1 technology, and a new ultra high-performance Potenza tire.

Company officials said the controversial Firestone FT70c will continue to be a key product. The FT70c was the subject of an advertising campaign that led Goodyear to sue Bridgestone/Firestone over claims about the tire's performance compared to Goodyear's Aquatred.
In the end, Bridgestone/Firestone pulled the ad. But the company reported it sold 2.5 million of the premium湿地型 tires in nine months, making it an extremely successful launch, Ono said.

"Even after we stopped the commercials, the tire just kept on selling," Ono said.

Yesterday, Bridgestone Corp. reported earnings of $323 million on sales of $17.9 billion, due in part to strong sales in North America by Bridgestone/Firestone. The company said its earnings dropped 48.7 percent because of a change in its accounting procedures and the removal of debt associated with its 1998 purchase of Firestone Tire & Rubber Co.

Ono said Bridgestone/Firestone expects to continue expanding in 1998 at the same rate as in 1997.

He said the economic crisis in Asia actually helps Bridgestone/Firestone because it can import tires from Japan at a lower price. Plans to increase exports from Thailand to North America are already under way.

Kenji Shibata, president of Bridgestone/Firestone, said the company is already off to a good start for 1997.

"We have started with a good season," Shibata said. "Things have been very good, especially with light trucks and with the automakers."

Bridgestone/Firestone is looking to become a much larger supplier to the North American automakers, adding 14 new models, including the Toyota RAV4 and the Ford Crown Victoria, to the roster of cars that fit its tires.

Goodyear is the largest supplier in North America with about 37 percent of the automakers' business. Bridgestone/Firestone is currently third with about 20 percent.

These designations are becoming increasingly important since recent surveys show that about a third of all car owners replace their tires with tires made by the same manufacturer that supplied them originally.

"Increasing in that business allows us to make tires in big lots, rather than the smaller lots needed for replacement tires," Ono said. "We would enjoy that."

Bridgestone/Firestone is already enjoying its recent successes in racing and the interest that it generates with employees and its dealers.

"At the recent dealer conference, our competitors invited us to go after them," said Trevor Hookins, Bridgestone/Firestone's senior vice president of public affairs. "Our racing success should have demonstrated by now that we would much prefer to lead."

And now the upcoming entry of Dayton Tire into the Indy Lights race circuit gives each of the Bridgestone/Firestone brands a place in the sport.

"With Dayton coming in, everybody is excited now," Ono said.

That excitement has led to higher sales, he said.

In light of Goodyear's ambitious plans to grow from $1.2 billion in sales to $20 billion within the next five years to overtake Bridgestone Corp. as the world's largest tire maker, company officials believe it will be a challenge to continue those higher sales.

"It is so difficult to forecast the future — we will leave that to Goodyear," said Ono, laughing. "As for us, we believe we will continue to grow. How much? Who can say?"
TREAD WEAR TESTS

10K IRREGULAR UN105 RANGER 4×4
3.78K SHOULDER UN105 RANGER 4×4
1K GRAVEL SURROGATE VEHICLE

CONTROL TIRE: FIRESTONE ATX SLS31J (1D8041)
TEST TIRE: GOODYEAR HRL RT/S 1D0058K
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All groove average projections & 3704 MILES
### TIRE TESTING

**VENDORY: VEHICULAR TESTING SERVICES, INC.**

**TEST NO.: 1000046**

**DATE: 06-24-1994**
**MILEAGE: 10000**
**LOAD: C40 / C40**
**ENGINEER: ELF**
**INFLATION F/R: 30 / 25**
**ROTATION: C40 TO C40**

**FASTEST WEARING GROOVE PROJECTIONS @ 10000 MILES**

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**AVERAGE:**
- RF: 69284
- LF: 58464
- LR: 10890
- RR: 62.97

**RAT/RBT:**
- RF: 108.00
- LF: 84.28
- LR: 108.00
- RR: 82.97

**AVERAGE PROJECTIONS @ 10000 MILES**

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**AVERAGE:**
- RF: 788.0
- LF: 692.52
- LR: 436.57
- RR: 729.41

**RAT/RBT:**
- RF: 131.00
- LF: 74.84
- LR: 304.76
- RR: 90.94
Approved Wilderness AT Replacement Tires
U.S. and Canada Markets Only
as of 6/15/2001 5:00pm, EDT

Ford and Lincoln Mercury Dealers will use the following approved replacement tires for vehicles affected by the Wilderness AT CNT program. Ford and Lincoln Mercury Dealers will need to claim the cost of the replacement tires through FCS/AD per the CNT ANNOUNCEMENT.

This list of tires is subject to change. Changes to this list will not affect reimbursement for any prior completed repairs.

RANGER APPLICATIONS

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### Approved Wilderness AT Replacement Tires

#### U.S. and Canada Markets Only

**As of 6/15/2001 5:00am, EDT**

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#### The following tires are approved for replacements for Wilderness AT on

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#### The following tires are approved for replacements for Wilderness AT on

**ALL Ranger size P235 / 75R16**

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#### EXPLORER MOUNTAINEER APPLICATIONS

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## Approved Wilderness AT Replacement Tires
### U.S. and Canada Markets Only

**as of 6/15/2001 5:00pm, EDT**

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### Expedition Applications

**as of 9/1/95 through 1997 size P255 / 70R16**

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### Expedition Applications

**as of 9/1/95 through 1997 size P255 / 70R16**

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**as of 9/1/95 through 1997 size P255 / 70R16**

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### Approved Wilderness AT Replacement Tires

**U.S. and Canada Markets Only**

as of 6/15/2001 3:20pm, EDT

Page 4 of 4

#### F-SERIES and BRONCO APPLICATIONS

The following tires are approved for replacements for Wilderness AT on F-Series and Bronco P235 / 75R15

<table>
<thead>
<tr>
<th>Tread Design</th>
<th>Part #</th>
<th>Manufacturer</th>
<th>Tire Brand</th>
<th>Speed/Load</th>
<th>Sidewall</th>
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<tbody>
<tr>
<td>AT</td>
<td>9001 137029543</td>
<td>Goodyear</td>
<td>WRANGLER RT/S</td>
<td>108S X2</td>
<td>OWL, TL</td>
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<tr>
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<td>Goodyear</td>
<td>WRANGLER RT/S</td>
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<td>VSB</td>
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<tr>
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<td>SSL, TL</td>
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<td>Goodyear</td>
<td>WRANGLER HT</td>
<td>108XL</td>
<td>SSL, TL</td>
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<td>9001 72769951</td>
<td>Goodyear</td>
<td>WRANGLER HT</td>
<td>X2</td>
<td>XNAR TL</td>
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<td>OWL</td>
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<tr>
<td>AS</td>
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<td>General</td>
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<td>XL</td>
<td>SBL, 1.25</td>
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<tr>
<td>AS</td>
<td>9002 1542145000</td>
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<td>GRABBER AP</td>
<td>XL</td>
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<tr>
<td>AS</td>
<td>9004 95667</td>
<td>BF Goodrich</td>
<td>LONG TRAIL T/A</td>
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<td>CRML</td>
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</table>

#### 1997 F-Series P235 / 76R16

The following tires are approved for replacements for Wilderness AT on 1997 F-Series

<table>
<thead>
<tr>
<th>Tread Design</th>
<th>Part #</th>
<th>Manufacturer</th>
<th>Tire Brand</th>
<th>Speed/Load</th>
<th>Sidewall</th>
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<tr>
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<td>General</td>
<td>Ameri 50 AS</td>
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<td>9002 1546016000</td>
<td>General</td>
<td>Ameri 50 AS</td>
<td>104S</td>
<td>BSF</td>
</tr>
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</table>

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CONSUMER ADVISORY

FOR IMMEDIATE RELEASE

NHTSA  Rae Tyson
Contact: (202) 366-9550

The National Highway Traffic Safety Administration (NHTSA) is recommending that owners of vehicles with certain models and sizes of Firestone tires not already being recalled by Firestone take a number of actions to assure their safety, based on NHTSA's analysis of Firestone's data.

On May 2, 2000, NHTSA opened a defect investigation into approximately 47 million ATX, ATXII, and Wilderness tires manufactured by Bridgestone/Firestone, Inc. (Firestone). On August 9, Firestone announced that it was recalling 14.4 million of the tires under investigation. These include all Firestone ATX and ATXII tires of the P235/75R15 size manufactured since 1991 and all Wilderness AT tires of that same size manufactured at Firestone's Decatur, IL plant. Firestone has estimated that about 6.5 million of these tires were still in service as of that date.

NHTSA has continued its investigation into the remaining tires. As part of that investigation, NHTSA has reviewed data provided by Firestone on property damage claims, personal injury claims, and lawsuits regarding the tires under investigation. Although its investigation is not complete, that review indicated that the rate of tread separations for certain other tire models and sizes exceed those of the recalled tires, sometimes by a large margin. Therefore, NHTSA is concerned about the possible safety risk associated with those tires.

On August 30, 2000, NHTSA staff met with Firestone representatives in Washington and recommended that Firestone expand the recall to include these tire models. On August 31, Firestone advised NHTSA that it would not voluntarily expand the recall at this time. We are continuing our investigation, which may result in an order directing Firestone to recall these tires and any other defective tires. However, in view of the potential safety risk, NHTSA believes that it is important to alert the public of its concerns now.

The tire models with the high tread separation rates are set out in an Attachment to this advisory. A total of approximately 1.4 million of these tires were produced. However, since many of them were manufactured many years ago, it is likely that far fewer are currently on the road. Most of them were sold as replacement equipment and were not installed as original tires on new cars.

DOT AUTO SAFETY HOTLINE 1-888-DESAF1DOT
Since Firestone has chosen not to expand the recall at this time, you may not be able to obtain free replacement tires from Firestone. However, in light of these concerns, NHTSA recommends that you consider replacing the tires in question and that you retain all documentation.

If you have one of these tires on your vehicle, you should take the following steps:
- Check your tires to be sure there are no visible signs of a problem.
- Be sure your tires are properly inflated.
- Do not drive at a high rate of speed, particularly in hot weather. If possible, choose roads with relatively low speed limits.
- Make sure your vehicle is not overloaded.
- Wear your seatbelt.

Please be aware that while these precautions are good general guidelines to tire safety, they may not prevent a tire failure.

NHTSA will be moving to rapidly complete its defect investigation into these particular tires as well as the remaining Firestone tires under investigation. If the agency concludes that other tires should be recalled, it will act promptly to assure that the public is protected.

Attached:  List of Tires Included in 9/1/00 Consumer Advisory
<table>
<thead>
<tr>
<th>Tire Line</th>
<th>Size</th>
<th>Plant Code</th>
<th>Original Installation</th>
</tr>
</thead>
<tbody>
<tr>
<td>ATX</td>
<td>P205/75LR15</td>
<td>YD</td>
<td>1991 Chevy Blazer</td>
</tr>
<tr>
<td>ATX</td>
<td>P225/75R15</td>
<td>HY</td>
<td></td>
</tr>
<tr>
<td>ATX</td>
<td>30X9.50R15LT</td>
<td>YD</td>
<td></td>
</tr>
<tr>
<td>ATX</td>
<td>31X10.50R15LT</td>
<td>YD</td>
<td>1991-94 Nissan Pick Up</td>
</tr>
<tr>
<td>ATX</td>
<td>32X11.50R15LT</td>
<td>YD</td>
<td></td>
</tr>
<tr>
<td>ATX</td>
<td>33X10.50R15LT</td>
<td>YD</td>
<td></td>
</tr>
<tr>
<td>ATX</td>
<td>33X12.50R16SLT</td>
<td>YD</td>
<td></td>
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<tr>
<td>Firehawk ATX</td>
<td>27X8.00R14LT</td>
<td>YD</td>
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<td>Firehawk ATX</td>
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<td>YD</td>
<td></td>
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<tr>
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<td>YD</td>
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<td>Firehawk ATX</td>
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<td>YD</td>
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<tr>
<td>ATX 33 Degree</td>
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<td>ATX 33 Degree</td>
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<td>YD</td>
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</tr>
<tr>
<td>Wildtrak Radial Baja</td>
<td>P225/75R15</td>
<td>HY</td>
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<tr>
<td>Wildtrak Radial Baja</td>
<td>22X11.50R15LT</td>
<td>YD</td>
<td>1995-96 Ford F150</td>
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<tr>
<td>Wildtrak AT</td>
<td>P235/70R16</td>
<td>W2</td>
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</tr>
<tr>
<td>Wildtrak AT</td>
<td>P235/70R15</td>
<td>YD</td>
<td></td>
</tr>
</tbody>
</table>

* Firestone lists this model as a LT225/75R15.

The majority of the tires listed above were sold as replacements in the aftermarket mostly for light trucks and SUVs. In the right column are vehicles upon which the tires were originally installed by the vehicle manufacturer when new.

How do I know if my tires are included?

A. First you need to read the model number off of the sidewall of your tire and verify that it's on the above list. Next you establish that you have one of the models listed above. You need to check the tire size and verify it is on the list. The tire size is located on both sides of the tire in raised letters. The size should be one of the sizes listed above.

B. Next you need to locate the DOT code to determine where your tire was built (plant). The DOT number is located on the blackwall side of tire, under the F in Firestone and it is 10 characters long, and it starts with D. Show this code on the blackwall side of tire, and turn on the outside of tire, you may need to crawl underneath your vehicle with a flashlight to find the code. There may be spaces in between some of the numbers, be sure to count all 10 characters to ensure you have found the proper code. Examples include:

- DOT VD58 L1M6046
- DOT VD89 L1M4070
- DOT VD58 L1A0089

The first two letters of the DOT code is the DOT plant code (see right hand column above). If the first two letters of the DOT code are YD, HY, or W2 and you have the tire line and size shown above, then your tires are on the consumer advisory list.
FOR IMMEDIATE RELEASE
Friday, September 1, 2000

NHTSA
Contact: Rae Tyson
Telephone: 202-366-9550

Media Advisory
NHTSA Administrator Issues Consumer Advisory

Dr. Sue Bailey, Administrator, National Highway Traffic Safety Administration, today issued the attached Consumer Advisory concerning an additional 1.4 million tires that were not included in the Firestone Tire Company's initial August 9, 2000 recall of 47 million ATX, ATX II, and Wilderness tires.
ODI RESUME

INVESTIGATION: PE00- 039
DATE OPENED: 20-SEP-00
SUBJECT: Front Suspension: Stabilizer Bar (Anti-Sway Bar) Link Failure
PROMPTED BY: EX00-074 / Clan
PRINCIPAL ENGINEER: Gregory Magno

MANUFACTURER: Ford Motor Company
MODEL(S): Explorer
MODEL YEAR(S): 1995-1996
VEHICLE POPULATION: T.B.D.

PROBLEM DESCRIPTION: One or both front stabilizer bar links break, contributing to vehicle oversteer and excessive suspension travel.

<table>
<thead>
<tr>
<th>FAILURE REPORT SUMMARY</th>
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<th>MANUFACTURER</th>
<th>TOTAL</th>
</tr>
</thead>
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<td>Unknown</td>
<td>13</td>
</tr>
<tr>
<td>CRASHES:</td>
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<td>*</td>
<td>0</td>
</tr>
<tr>
<td>INJ CRASHES:</td>
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<td>*</td>
<td>0</td>
</tr>
<tr>
<td># INJURIES:</td>
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<td>*</td>
<td>0</td>
</tr>
<tr>
<td>FAT CRASHES:</td>
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</tr>
<tr>
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<td>OTHER:</td>
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</table>

DESCRIPTION OF OTHER: N/A

ACTION: A Preliminary Evaluation has been opened.

ENGINEER: 9/28/00
DIV CHF: 9/28/00
DIR: 9/28/00

Background

ODI has received twelve Vehicle Owner's Questionnaires (VOQ) and one consumer letter reporting failure of one or both front stabilizer bar links in Model Year (MY) 1995-1996 Explorers. In all cases, complainants report that vehicle stability is reduced—especially at speeds above 40 mph, and in turns and lane changes.

Subject Component

The subject component is the front stabilizer bar link. A link is attached to each end of the front stabilizer (or "anti-sway") bar, connecting it to the left and right front wheel control arms. The stabilizer bar reduces vehicle body roll in turns. Failure of one or both of the links renders the stabilizer bar essentially useless and therefore, the vehicle may become more unstable in abrupt maneuvers.

Continued on Page 2
A local Ford service department contact indicated that for MY 1997, Ford increased the diameter of the stabilizer bar link. The newly designed part is used on MY 1995-1996 Explorers as a replacement part.

**DOT Headquarters Parking Garage Survey**

Ford Explorers parked at DOT HQ were examined to get an idea as to the number of broken links in the field. A total of twenty-eight Explorers were examined:

Fourteen subject (MY 1995-1996) Explorers were examined. Of these, five contained recently replaced links and two contained broken links (both on MY 1995 models). It should be noted that a link was identified as replaced if it appeared to be substantially cleaner than the rest of the vehicle suspension.

Five pre-'95 Explorers were examined with no problems noted (pre-'95 Explorers contained a different suspension design).

None of the nine post-'96 vehicles contained replacement or broken links.

A Preliminary Evaluation has been opened to further assess the scope and severity of this phenomenon.
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<thead>
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<td>VEHICLE POPULATION</td>
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**COMPLAINTS**

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**DESCRIPTION OF OTHER CHARGES**

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<tbody>
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</table>

**DATE OPENED**

23-Sep-90

**DATE CLOSED**

23-Sep-90

**MANAGEMENT ACTION**

- The Preliminary Evaluation is closed.
- Ford will recall 64,030 Ford vehicles identified in Ford's internal database for a recall of vehicles equipped with intermittent wiper motor performance in low-speed and high-speed settings.

**FAILURE REPORT FORM**

- On 29-Oct-90, ODI issued Ford a Notice on behalf of vehicle owners complaining of intermittent windshield wiper operation. As of 28-Oct-90, Ford has received reports from 12 owners of vehicle owners complaining of intermittent wiper operation.

**PROBLEM DESCRIPTION**

Ford has received reports from 12 vehicle owners complaining of intermittent windshield wiper operation. The vehicle owners have reported that the windshield wipers operate intermittently in high-speed and low-speed settings, and that the wipers fail to operate when they are turned on. Ford has identified 364,480 vehicles equipped with intermittent wiper motor performance in low-speed and high-speed settings, and will recall 64,030 of these vehicles for repair.

**MANAGEMENT ACTION**

- Ford will recall 64,030 Ford vehicles identified in Ford's internal database for a recall of vehicles equipped with intermittent wiper motor performance in low-speed and high-speed settings.

**MANAGEMENT ACTION**

- Ford will recall 64,030 Ford vehicles identified in Ford's internal database for a recall of vehicles equipped with intermittent wiper motor performance in low-speed and high-speed settings.
June 14, 2001

Cliff Sterns
Chairman
Subcommittee on Commerce Trade
and Consumer Protection

James Greenwood
Chairman
Subcommittee on Oversight and
Investigations
U.S. House of Representatives
Washington, D.C. 20515-6115

Re: TIRE SAFETY INVESTIGATION

Gentlemen:

I am writing in response to your letter dated June 7, 2001 to Sam Gibara, Chairman and Chief Executive Officer of The Goodyear Tire & Rubber Company requesting the following documents:

1) All records relating to communications (whether written, oral or electronic) between any official, employee or agent of your company and any official, employee or agent of the Ford Motor Company, relating to the possible or actual provision of Goodyear tires for the Ford Explorer, Model Years 1995-1997.

2) All other records relating to the possible or actual provision of Goodyear tires for the Ford Explorer, Model Years 1995-1997.

We have been unable to locate any records or files responsive to these requests other than the attached Ford document dated October 5, 1992 along with the revised tire targets for the P235/75R15 tire.
I have however at the request of Tom DiLenge, Deputy Chief Counsel for Oversight and Investigations, also attached e-mail documents dated as follows:

11-4-94; 11-11-94; 11-15-94; 11-16-94; 11-18-94; 12-6-94; 12-7-94; 12-8-94; 12-12-94; and 12-13-94.

These documents relate to negotiations between Goodyear and Ford for original equipment tires on 1998 Ranger/Explorer vehicles. Also attached is a letter dated January 17, 1996 from L.J. Connolly, Director of OE Tire Marketing and Sales, to Chris Hole at Ford along with Ford's reply dated January 26, 1996 again relating to tire applications for the 1998 model year.

If we are able to identify any further documents responsive to these requests, we will certainly forward them to you immediately. If you have any questions or comments, please do not hesitate to call me directly.

Sincerely,

James C. Whiteley, Vice President
The Goodyear Tire & Rubber Company

jcw/csh
Attachments
Mr. Lee Connolly, Director
Goodyear Tire Marketing & Sales
The Goodyear Tire & Rubber Co.
1166 E. Market St.
Akron, OH 44316-0001

Dear Mr. Connolly:

We recognize Goodyear’s concern with the fluctuations in raw material prices outlined in your letter of January 17th. However, as we discussed in our meeting last week, the material cost increases incurred at Goodyear are not consistent across the industry and, therefore, are not addressed by the material clauses in our agreement.

Your request for economic relief would also further exacerbate an already uncompetitive condition with Goodyear. You will recall in the 1993 negotiations, we repeatedly indicated that the settlement would not maintain your price competitiveness. As an example, the following eight tires are now priced at a 2-3% premium from Goodyear:

<table>
<thead>
<tr>
<th>Vehicle</th>
<th>F-series</th>
<th>F-series</th>
</tr>
</thead>
<tbody>
<tr>
<td>C2124</td>
<td>P215/60R14 6PR NW</td>
<td>P215/60R15 6PR NW</td>
</tr>
<tr>
<td>C2127</td>
<td>P215/60R15 6PR NW</td>
<td>P235/70R15 AT OWL</td>
</tr>
<tr>
<td>Explorer/Ranger</td>
<td>F-235/70R15 XL 6PR NW</td>
<td>F-235/75R15 XL 6PR NW</td>
</tr>
<tr>
<td>F-Sterile/Bronco</td>
<td>F-235/75R15 XL 6PR NW</td>
<td>F-235/75R15 XL 6PR NW</td>
</tr>
<tr>
<td>F-Sterile/Ranchero</td>
<td>F-235/75R15 XL 6PR NW</td>
<td>F-235/75R15 XL 6PR NW</td>
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<tr>
<td>F-150</td>
<td>F-150</td>
<td>F-150</td>
</tr>
<tr>
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<tr>
<td>F-450</td>
<td>F-450</td>
<td>F-450</td>
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</tbody>
</table>

The pricing level disparity between Goodyear and your competitors is a significant concern to us, and exists with your current price levels. Either an economic increase or freezing the January 1996 contractual price reduction would obviously make the situation unacceptable.

We have a further concern that, as a result of your initial price quotes over the last year, Goodyear has been removed from consideration for several future model programs, including the 1998 WR150, WR195, FORD11 19" tire, and the 1999 DEM98. Other programs may also be re-evaluated if your pricing continues to be above the market range.
Mr. L. Connelly  

January 26, 1996

Ford is willing to work with Goodyear in the TCM process to address costs throughout the value chain, and our experience of TCM is that we can identify potential cost savings, provided we can work openly together. However, as we discussed, the results of the TCM effort will not obviate the need for Goodyear to fulfill our agreement, and partially address today’s uncompetitive price issue.

Sincerely,

C. J. Hole, Director

cc: Mr. J. W. Barnett - Goodyear
Mr. G. F. Hagan
Mr. S. J. Holmes - Goodyear
The Goodyear Tire & Rubber Company
Akron, Ohio 44316-6001

January 17, 1996

Mr. Chris Hole
Ford Motor Company
NAAO Production Purchasing
Rotunda at Southfield, P O Box 1587-H
Dearborn, Michigan 48121

Dear Chris:

After our discussion yesterday, I thought it might be appropriate to forward the attached chart which I believe graphically illustrates the point we are attempting to make.

The band at the bottom of the chart indicates the range of fluctuation in raw material prices which we would consider normal. The movement outside this range which occurred during the third quarter of 1994, when coupled with future projections of higher costs, triggered our request for material relief which we initiated in September of that year. It also prompted our request for additional relief in January of 1995 when it became apparent that material prices would escalate far beyond our original forecast. I am sure your financial model which tracks tire costs will concur with our data.

As we emphasized during our discussion, we believe the current situation is covered by the material clause contained in our contract and that this situation at least merits further negotiation.

Although we do plan to aggressively pursue cost reduction activities, as we discussed yesterday, we nevertheless ask for your understanding in our present dilemma, and ask that you give our request favorable consideration.
We enjoyed meeting with you, Gary and other Ford personnel yesterday, and look forward to working with you closely in the weeks to come.

Sincerely,

L J Connolly
Director
OE Tire Marketing & Sales

cc: J W Barnett
    S S Holmes
    Gary Hagan, Ford Motor Company
Goodyear understands that due to competitive reasons we will not be sourced on the P235/75R15 AT OWL after the 1997 model year for the UPN150 program.

At this time, we are asking Goodyear to confirm that you understand you cannot be sourced on the program.

**Your response to our question?**

We indicated in our second response that part of our reconfirmation process was to be informed as to the the 3 we are uncompetitive. What's the answer to our question? Twice you have referred to our uncompetitive level without the usual specifics and the question we asked in our second reply has gone unanswered. Please provide the usual details of the uncompetitive range.
To: USFGCGDC--IBMMAIL Gary Hagan
cc: T465000--RSVM1 J J Tomin
     T001640 --AKRONHQ Bruce Brown
     A036869 --AKRONHQ Les Connolly
     A001059 --RSVM1 Sid Holmes

FROM: SID HOLMES
SUBJECT: 1998 UPN150 P235/75R15 AT OWL

Our note of 11/18 gave a thorough response to the reasons why we were
obliged to maintain our current price base for this tire.

We would be remiss, however, in not asking by what % we are uncompetitive
and take this chance now to ask this question.

We need your reply as part of our reconfirmation process.

--- Forwarding note from USFGCGDC--IBMMAIL 12/06/94 10:20 ---
To: USFGCGDC--IBMMAIL SID HOLMES
cc: GHAGAN --GRBN004

FROM: Gary F. Hagan
SUBJECT: 1998 UPN150 P235/75R15 AT OWL

AUGH GOODYEAR HAS PREVIOUSLY REVIEWED THE PRICE LEVEL, YOUR QUOTE FOR 100% OF THE TIRE VOLUME (WHICH IS THE SAME AS THE CURRENT PRICE BASED ON TODAY'S 68% SUPPLY) IS NOT COMPETITIVE. AS YOU ARE AWARE, WE ARE INVESTIGATING SINGLE SOURCING OF THE TIRE AND BASED ON YOUR UNCOMPETITIVE PRICE, GOODYEAR CANNOT BE SOURCED ON THIS FITMENT.

YOU ARE REQUESTED TO RECONFIRM THAT THIS IS YOUR UNDERSTANDING AS WELL.

Regards,
Gary F. Hagan

Exterior Ornamentation Purchasing Department
NAAM Production Purchasing
From: SID HOLMES (810-423-5534, Fax=810-423-5649)

Pls understand that Goodyear applauds Ford for trying to seek production
efficiencies that on the surface would seem to benefit both companies. A
complete review of the implied efficiencies of this program was indeed
undertaken prior to our quotation.

The perceived efficiencies of the added volume of this tire, however,
are offset by an increase in the downstream caused by Ford's tight R1H
Separately we are actually preparing the cost analysis of what it will
take for us to achieve these limits for our currently sourced business
without including the added 500-600,000 tires. Since the limits exceed
our capability and there are no other industry requirements, we will be
quoting Ford on the basis that the equipment to achieve the Ford only
caps needs to be amortized in the piece price of the Ford only tire.

We could have taken this chance to increase the cost of this tire to
reflect this uniformity issue but our internal studies are not yet
complete.

**Forwarding note from USFMGDC--IBMAIL 11/16/94 15:44 **

To: USFMGDC--IBMAIL SID HOLMES
cc: GHASAN --DBN004  GHASAN --DBN004

I AM SURPRISED THAT A VOLUME INCREASE OF 500-600,000 TIRES DOES NOT AFFECT
YOUR QUOTE. I RECOMMEND GOODYEAR REVIEW THIS QUOTATION TO REFLECT THE
EFFICIENCIES OF THE ADDED VOLUME.

Regards,
Gary F. Hagan
Exterior Ornamentation Purchasing Department
NAAO Production Purchasing

**Forwarding note from USFMGDC--IBMAIL 11/15/94 17:35 **

To: USFMGDC--IBMAIL Gary Hagan
cc: TADGEOO --DBN001  J J Tomlin  TDD160 --AKRONHQ Bruce Brown
A001059 --DBN001 Sid Holmes

We have studied the opportunities offered by this program and offer the
following pricing subject to 1994 economics:
From: A001059 --RDSVH
To: USFRCDC--IBMAIL Gary Hagan
cc: T442608 --RDSVH J J Tonin TO:01640 --AKRONHQ Bruce Brown
A001059 --RDSVH Sid Holmes

FROM: SID HOLMES
SUBJECT: UPN150 F235/75R15 A/T OWL

We have studied the opportunities offered by this program and offer the
following pricing subject to 1994 economics.

F235/75R15 Wcgl RT/5 OWL $42.15

Sid Holmes--Account Executive
The Goodyear Tire and Rubber Company
P.O. Box 6059
Southfield, Mi. 48076-6059 Tel: 810-423-5534 Fax: 810-423-5649

*** Forwarding note from USFRCDC--IBMAIL 11/04/94 12:54 ***

TO: IDGENT--IBMAIL SID HOLMES
cc: CHAGAN --DHRN074 CHAGAN --DHRN074

FROM: Gary F. Hagan
Subject: UPN150 F235/75R15 A/T OWL

PLEASE SUBMIT A QUOTE FOR 100% OF THE VOLUME FOR THE 1998 RANGER /EXPLORER.
THE TIRE WILL BE CARRYOVER OF THE CURRENT UPN15 DESIGN. THE 1994 VOLUME IS
APPROXIMATELY 1.3 MIL TIRES. WE ARE EVALUATING SINGLE SOURCING OF THIS TIRE.

Regards,
Gary F. Hagan
Exterior Ornamentation Purchasing Department
NAO Production Purchasing
Date and time 11/13/94 13:07:17

FROM: V462005 --RDSM1
To: A031059 --RDSM1 S J Holmes
cc: T462005 --RDSM1 J J Tomlin
FROM: J J Tomlin
SUBJECT: UPN150 F235/75R15 A/T OWL

Sid,

I provide you the following quotation for 100% of the volume on the 88my Explorer / Ranger F235/75R15 A/T OWL. Please note that this is the current mcl RT/6 price at 1994 economics.

P235/75R15 mcl RT/6 OWL Vol.: 130.3 / 70 Price quote: 43.15

Should you have any questions, please let me know.

Regards.............John T

---

J J Tomlin, Product Manager
GR Auto & Light Truck Tires

---Forwards note from A031059 --RDSM1 11/11/94 18:41 ***
To: T462005 --RDSM1 J J Tomlin

FROM: SID HOLMES
SUBJECT: UPN150 F235/75R15 A/T OWL

We forwarded this request to you on 11/4 and now need an answer by 11/15.

Sid Holmes--Account Executive
The Goodyear Tire and Rubber Company
P.O. Box S29
Southfield, MI 48086-5299 Tel: 810-623-5534 Fax: 810-623-5649

---Forwards note from ENPFOS--TERMAIL 11/11/94 11:50 ***
To: UGTRNKY--TERMAIL SID HOLMES
cc: SHAGAR --DRBN004

FROM: Gary F. Nagan
Subject: UPN150 F235/75R15 A/T OWL
PLEASE HAVE YOUR QUOTE BY 11/15.

Regards,
Gary F. Nagan
Exterior Ornamentation Purchasing Department
KAAO Production Purchasing

---Forwards note from SHAGAN --DRBN004 11/24/94 12:54 ***
To: ENPFOS--TERMAIL SID HOLMES
cc: SHAGAN --DRBN004

FROM: Gary F. Nagan
Subject: UPN150 F235/75R15 A/T OWL
PLEASE SUBMIT A QUOTE FOR 100% OF THE VOLUME FOR THE 1998 RANGER /EXPLORER. THE TIRE WILL BE CARRYOVER OF THE CURRENT UPN150 DESIGN. THE 1998 VOLUMES IS APPROXIMATELY 1.3 MILL TILES. WE ARE EVALUATING SINGLE SOURCING ON THIS TIRE.

Regards,
Gary F. Nagan
Exterior Ornamentation Purchasing Department
KAAO Production Purchasing
Truck Operations
October 3, 1992

To:   R. J. Reichenbach, Bridgestone/Firestone
      H. S. Moore, Michelin
      C. Turner, Goodyear
      D. J. Zupan, General Tire

cc:    L. Skynar
       D. C. Fortunato
       M. Cowley
       G. P. Rama

Subject: Revised UFM105 Tire Targets

Attached are the revised Tire Targets for the UFM105 Program. These targets have been revised to reflect program objectives to maintain tirewear, traction, and minimize rolling resistance. The primary design emphasis is to be directed at (1) force and moment specification equivalent to the control tire, (2) maintain irregular and shoulder wear, and (3) no loss in dry, wet, and snow traction. The Rolling Resistance identified for each tire size is a target, not the main objective. The Candidate tires must maintain tirewear, equivalent F&M, dry, wet, and snow traction, while trying to achieve a reduction in Rolling Resistance that approaches the KR target. Please contact Mr. Ron Campbell on the particulars for the F&M requirements for this program. In general, the program goal for UFM105 is to maintain and not exceed the handling properties of control tires identified for each tire size.

T. A. Watt

Concur: J. D. Avouris  10/4/92  R. M. Campbell
        D. R. Wotton  R. J. Bacigalupi
<table>
<thead>
<tr>
<th>Candidate Tire</th>
<th>P235/75R15 SL ALL TERRAIN OMT WITH 15X7.0J WHEEL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>INFO: TIRE ALSO AVAILABLE ON 15X6.0JJ WHEEL</td>
</tr>
<tr>
<td>Control Tire</td>
<td>P235/75R15 SL AT FIRESTONE ATX SL531J WITH 15X7.0JJ WHEEL</td>
</tr>
</tbody>
</table>

### Irregular Wear (10K)

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Estimated life after 10K irregular wear test a Firestone control tire for both outside and across tire wear. (Slip on must be full depth on outside shoulders.)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Vorn appearance - subjective to Control (See ES-BTSA-1508-AA)</td>
</tr>
</tbody>
</table>

### Shoulder Wear (5K)

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Estimated life of Firestone control tire.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Vorn appearance - subjective to Control (See ES-BTSA-1508-AA)</td>
</tr>
</tbody>
</table>

### Rolling Resistance - Target

<table>
<thead>
<tr>
<th>Supplier</th>
<th>67° Drum: 10.9 lbs. on Ford Test Machine, 7.0° rim, 1402 lbs. load, 38 psi.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Twin Rolls: TBD on Ford Test Machine, 7.0° rim, 1402 lbs. load, 45 psi.</td>
</tr>
</tbody>
</table>

**Note:** Primary importance should be placed on the 67° drum rolling resistance.

- Raw data and regression equations for above tests must also be submitted to LTE. See B. Whittle letter dated 8/2/90 for data format.

### Transition: Dry/Wet (0.05° H2O)

<table>
<thead>
<tr>
<th>Supplier</th>
<th>Rim - 15X7.0</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tire pressure - 30 PSI for Ranger 4X4.</td>
</tr>
<tr>
<td></td>
<td>Loads: Dry - 855/1137 LBS., Wet - 1453 LBS.</td>
</tr>
<tr>
<td></td>
<td>Tire pressure - 26 PSI for Explorer.</td>
</tr>
<tr>
<td></td>
<td>Loads: Dry - 796/1992 LBS., Wet - 1356 LBS.</td>
</tr>
<tr>
<td></td>
<td>Speed: 20, 40, 60 MPH</td>
</tr>
</tbody>
</table>

- IX Gravel                                                                 |
  | Supplier       | Meet ES-BTSA-1508-AA requirement.                                                                                              |
  |                | Vorn appearance - subjective to Control                                                                                         |

- DOT 109 Lab Test                                                                 |
  | Supplier       | Meet ES-BTSA-1508-AA requirement.                                                                                              |

- High Speed/Rolloff/Blow Out                                                                 |
  | Supplier       | Meet ES target of 200 miles at 90 mph.                                                                                          |
  |                | Meet SAE "S" speed rating requirements.                                                                                          |

- Handling - Dry/Wet                                                                 |
  | Supplier       | Dry - subjective equivalent to Control                                                                                          |
  |                | Wet - subjective to Control tire on Ford developed wet handling course.                                                        |
  |                | Groove Bender (Los Angeles Freeway test) to Firestone Control                                                                  |
10/3/92 REVISED TARGETS - UPN105

CANDIDATE TIRE - P235/75R15 SL ALL TERRAIN C/V WITH 15X7.00J WHEEL

CONTROL TIRE - P235/75R15 SL AT FIRESTONE ATX SL533I WITH 15X7.00J WHEEL

- Ride
  (Ford/Supplier)
  - Hardness at curb - subjective a Control (Ranger), and 0.5 improvement over Control on Explorer.
  - Note: 30/35 psi Ranger, 26/26 psi Explorer.

- Noise
  (Ford/Supplier)
  - New .5 subjective rating better than Control
  - Wear - After 10K Irregular & Shoulder wear test.
  - .5 subjective rating better than Control

- Indoor Noise
  - Submit data per ES-ESTA-1508-A

- Snow Traction
  (Supplier)
  - a Control tire
  - Desired: At 30% tread depth, traction should not drop more than 20% from full tread value.

Snow - Handling/Braking Events
(Ford/Supplier)

- Weight
  (Supplier)
  - 30 piece ave. ± 28.6 lbs.

- Uniformity Values
  (Supplier)
  - Uniformity values must conform to those values outlined in the 12/12/88 BIC letter for the 1995 model year.
  - Minimum Cpk = 1.33
  - Note: May be modified to suit vehicle sensitivity.
  - Sidewall undulation = 0.05" max.

RPM
(Supplier)

- SAE Average = 717 ± 7 RPM @ 1844 lb.
  35 psi, 45 mph.

Sidewall, Shoulder, and Tread Design

- UPN105 tread, shoulder, and sidewall designs should provide the customer with a "Tough Truck" image. Tread depth to meet Engineering Design Information TARA recommended practice. A square shoulder appearance is desired.

Residual Aligning Torque
(Ford/Supplier)

- +0.5 to -2.5 Newton-meters

Force & Moment
(Ford/Supplier)

- Force & Moment equivalent to Control tire with 13x7.0 rim width at 26 PSI.
  - Use LTE Sept. 15, 1992 procedure.
  - File Control Number is "FJ316VVZ"
Mr. Lee Muchas
Wheeler Trigg & Kennedy
1601 California Street
Suite 3400
Dexter, CO 80202

Re: Van Etten v. Ford

Dear Mr. Muchas:

Per your request, Carr Engineering, Inc. has investigated the crash that led to the referenced lawsuit. As part of that investigation I have analyzed the complaints, miscellaneous interrogatories, police report, heater copies of police photographs, vehicle information, documents produced by Bridgestone/Firestone, medical information, heater copies of photographs, drawings by Newton Battez, vehicle invoice, vehicle repair invoice, DelRay Toyota documents, and the scheduling order. In addition, I have analyzed the reports by Dr. Mel Richardson and Dennis Carbon as well as depositions of Michael Van Etten, Kim Van Etten, Rebecosa Ivy, Dina Kotecki, Matthew Wilson, Caren Ogden, Kehor Ivy, Lester Bruce, Trooper Gary Thrif, Lt. Charles Byersly, and Dr. Mel Richardson. Carr Engineering, Inc. has also inspected the Ford Explorer and the crash scene and has conducted evaluations and tests of the handling and stability characteristics of a Ford Explorer 4 and 4x4 vehicle substantially the same as the one involved in this crash.

Based on the investigation to date, the following opinions and conclusions have been reached:

1. The crash occurred on March 9, 1997 on Interstate 95 in Camden County, Georgia. In the area of the crash, Interstate 95 is a relatively flat four-lane divided highway with a concrete road surface and asphalt improved shoulders, and gravel unimproved shoulders and median. According to police information, Mr. David Van Etten was driving a 1993 Ford Explorer 4x4 northbound when "the left rear tire tread apparently separated from the tire." The driver steered to the right..."...attempts to move to the emergency lane." The driver then lost control and the vehicle overturned due to the forces of the tires and rims sliding on the pavement. The vehicle then
rolled over towards the passenger's side and the driver, Mr. Van Etten, was ejected from the vehicle and fatally injured.

2. The likely cause of the crash was that Mr. Van Etten failed to maintain control of his vehicle. The crash scene and the Ford Explorer were inspected for problems which could have caused or contributed to the crash. There were no such problems. Following the tread separation in the left rear tire, the driver apparently overcorrected by steering abruptly rather than steering the vehicle in a controlled way. This caused the vehicle to slide across several lanes of travel and into the emergency lane.

3. The likely cause of the overspill is that lateral forces were exerted on the vehicle that overwhelmed its inherent stability. The amount of these forces are likely to be the vehicle's speed, the severity of the steering maneuver undertaken by the driver, and the lean of the vehicle's body toward one side and then the other to augment vertical and lateral tire forces as the tire slid and the rim gouged into the roadway surface.

4. When the tread separates from a tire, the outer surface of rubber either partially or totally "peels off" of the inner rubber compounds or belts. A tire which is partially or totally missing its tread will have very different force and moment characteristics than the same tire with tread intact. Most importantly, the lateral or side force capability of the tire is reduced.

5. Although it is difficult to determine if a tire will or will not experience a tread separation at a given time, the process involved during a tread separation event on a moving vehicle does provide definite feedback to the driver and passengers in most circumstances. The feedback usually begins with a vibration in the vehicle similar to that created by a severely unbalanced tire. The vibration is followed by a "clipping" sound which is created by the loose tread rubber contacting the pavement as the tire rotates. As the length of the loose tread grows, it begins to hit against the vehicle body parts such as the inner fender well and outer sheet metal. The sound created by the tread hitting the vehicle body is very loud and resembles that of a buzzing drum. As the tread is separating, the rolling resistance of the tire becomes which creates a force and moment on the vehicle. This moment acts to pull the vehicle slightly to the side of the separating tire.

6. Curr Engineering has conducted tests where a rear tire tread separation was induced on moving vehicles. These tests included a base model 1986 Ford Bronco II 4x4, a 1986 Ford Bronco II 4x4XL T, a 1994 Dodge Intrepid, a 1997 Ford Club Wagon Van, a 1994 Ford Bronco, a 1993 Ford Explorer 4x4, a 1990 Ford Aerostar van, and a 1987 Toyota Van. The testing involved multiple runs made at varying speeds, none in excess of 65 miles per hour. In every test run, the vibration and the "clipping" sound of the separated tread as it hits the ground and vehicle body were apparent prior to the tread slipping totally free from the rim. However, even though the test tire had been pre-cut to ensure separation in a minimal amount of time. During the tread separation event, the tire did pull the vehicle slightly to one side but the driver kept a straight line path with a small steering correction. This amplitude of steer...
ingle is small and on the order required to keep a vehicle in the lane on curved highways or in a straight path during other events such as wind gusts or driving through water puddles at highway speeds.

7. As discussed above, a tire with a separated tread has reduced lateral force capacity when compared to the same tire with tread properly adhered to the tire carcass. To objectively measure this difference, Carr Engineering has conducted constant radius circle turns on a 1989 Ford Explorer 4x4 according to the Recommended Practice of the Society of Automotive Engineers. This Recommended Practice, X7266, includes testing to measure the steering required to follow a circular path at ever increasing speeds until the limits of tire traction are exceeded. This test was performed with both good tires and with a rear tire that had a totally separated tread. In the tests with good tires, the vehicle could achieve a maximum lateral acceleration in excess of 0.7 g’s lateral acceleration in both clockwise and counterclockwise directions. In the constant radius test with the missing tread tire, the vehicle could achieve just over 0.6 g’s lateral acceleration in a turn with the separated tire on the inside or unladen side of the vehicle. However, when the vehicle was driven in a turn with the separated tire on the outside or loaded side of the vehicle, the lateral acceleration capacity of the vehicle was reduced to less than 0.5 g’s lateral acceleration. These tests confirm that a tread separation will not in and of itself, cause the Explorer to go out of control. Vehicle control can be maintained by slowing down and avoiding sharp maneuvers.

8. Carr Engineering has conducted tests where a tire was intentionally caused to “blow-out” on moving vehicles. These vehicles included a base model 1985 Ford Bronco II 4x4, a 1986 Ford Bronco II 4x4 XLT, a 1994 Dodge Intrepid, a 1987 Ford Club Wagon van, a 1994 Ford Bronco, a 1993 Ford Explorer 4x4, a 1990 Ford Aerostar van, and a 1987 Toyota van. The testing included multiple runs made at varying speeds, some in excess of 60 miles per hour. Following the “blow-out”, the tire did pull the vehicle slightly to one side but the driver kept a straight line path with a small steering correction. These tests confirm that a “blow-out” will not in and of itself, cause the Explorer to go out of control. Vehicle control can be maintained by slowing down and avoiding sharp maneuvers. This behavior is common to all motor vehicle types and does not mean that the vehicle’s design capacities are defective.

9. The dimensional characteristics of the 1991 Ford Explorers 4x4 are not the cause of this event. Based on measurements that Carr Engineering, Inc. has made, the center of gravity height of these vehicles is approximately 28.6 inches above the ground, depending upon tire size and equipment. This value typically ranges from 18 to 34 inches for passenger automobiles and from 23 to 30 inches for utility and multipurpose vehicles. The center of gravity height for other vehicles used safely on the highways exceeds 40 inches for such vehicles as loaded semi-trailer trucks.
Also based on measurements made by Car Engineering, Inc., the average track width of the Explorer is approximately 58.4 inches, although the value can be greater or lesser than this amount depending on wheel type and size. This width is similar to or greater than small passenger cars, trucks and other utility vehicles.

10. Simply dividing the track width by the center of gravity height to compute a "staic stability ratio" is not a reliable technique to measure dynamic stability for any vehicle, including the 1993 Ford Explorer. Such computations will not predict the vehicle's behavior, nor will they allow valid comparisons to decide what is "safe" and "unstable." However, even when such computations are made, the value that results for a Ford Explorer is within the range of acceptable values for other vehicles used safely on the highways.

11. The dimensional characteristics of the Ford Explorer allow it to perform in both "off-road" and "on-road" applications. For example, its length, wheel base, track width and ground clearance give it superior maneuverability and provide high "approach" and "departure" and "breakover" angles so that it can negotiate narrow passageways and around and over obstacles "off-road." It incorporates relatively larger tires that improve traction on rough, unimproved surfaces. It is these characteristics that allow it to perform functions that common passenger cars cannot and which make it in some circumstances to be different than some common passenger cars. Changing these dimensions in any significant way would diminish the vehicle's utility in its intended use.

12. The steering characteristics of the Ford Explorer are safe, stable and generally similar to those of other vehicles including passenger cars. In order to measure those characteristics objectively, Car Engineering, Inc. has conducted testing according to the Recommended Practice of the Society of Automotive Engineers. This Recommended Practice, X1266, includes testing to measure the steering required to follow a circular path at over increasing speeds until the limits of tire traction are exceeded. In this test, Car Engineering, Inc. found that the vehicle steering gain is appropriate and its "understeer" characteristic is similar to the values drivers have come to expect in passenger cars, trucks, and multipurpose vehicles sold in the United States. The vehicle has the capacity to follow a circular path at lateral accelerations exceeding 0.65 g's. This capacity is very high and will allow the vehicle to respond to expected driver inputs with a factor of safety beyond that required to maneuver in a highway environment in both normal and severe crash avoidance situations.

13. The handling and stability characteristics of the Ford Explorer when maneuvered in turns are reasonably safe. Those characteristics are extremely good when compared to other vehicles of its type and provide capacities significantly in excess of the demands of normal driving and reasonable crash avoidance situations. Car Engineering, Inc. has conducted tests to determine this capacity. These tests include slalom tests in which the vehicle is steered viciously side-to-side through a serpentine course at speeds from 50 to in excess of 70 miles per hour. Even at the limits of tire traction, the vehicle remained safe and stable in these
maneuvers. Carr Engineering, Inc. has also conducted a severe lane-change test according to the procedure of the International Standards Organization (ISO). In this test, the vehicle is steered from one narrow lane to the left into a second narrow lane and then back to the right to a third narrow lane. The ISO Procedure envisions that any vehicle that can complete that maneuver at entry speeds of 48 miles per hour or more is reasonably safe and stable for normal highway use. Carr Engineering, Inc. found that the Ford Explorer would complete the maneuver at speeds in excess of that value without a problem. Carr Engineering, Inc. also conducted tests to determine the vehicle's stability at lateral accelerations in excess of 0.70 Gs at speeds in excess of 70 miles per hour. Even though the tests are near their limit of traction under those conditions, the Ford Explorer remains safe and stable. Carr Engineering, Inc. has also caused the Ford Explorer to spin around on flat, level pavement through a full 180-degree turn to face back in its original line of travel (i.e., bootlegger turn). It accomplishes that maneuver without problem even though the maneuver by itself reflects a vehicle that has been caused to go completely out of control.

14. Carr Engineering, Inc. has evaluated the stability of the Ford Explorer in various braking maneuvers, including panic braking from speeds in excess of 60 miles per hour and panic braking while the vehicle is in a turn at the limit of its tires' traction. In these tests, the vehicle's braking system behaved predictably allowing the vehicle to be brought to a stop without loss of stability.

15. The Ford Explorer is equipped with a "twin I-beam" front suspension system. This is the same type of suspension used by Ford in its light trucks since the 1960s and is an appropriate suspension for the Ford Explorer. It is my understanding that plaintiffs have retained engineers who are critical of the twin I-beam suspension claiming that it "jacks." The term "jacking" has been applied in the past to the effect whereby a suspension's geometry transmits tire forces to a vehicle's body to actually lift it. Such a thing does occur to a small degree with any independent suspension and can occur to a substantial degree if and only if its geometry is chosen improperly. The geometry chosen for the Ford Explorer is proper because it employs an arm of relatively long length that is mounted to the body close to the ground compared to that length. This eliminates the occurrence of significant "jacking" as described by plaintiff's experts. Carr Engineering, Inc. has confirmed this through testing of a 1991 Ford Explorer 4x4 with a twin I-beam front suspension and a 1996 Ford Explorer 4x4 with a short-leaf arm front suspension. This testing included standard accepted quasi-steady state and highly transient maneuvers at various speeds and up to the limit of the tire's traction. In these tests, the vertical movement of the center of gravity was measured and when compared showed little difference between the performance of the 1991 Explorer and the 1996 Explorer. Carr Engineering, Inc. has also performed similar tests on 1990 Ford Bronco II 4x4, a 1990 Ford Bronco II 4x2, and a 1983 buick LeSabre sedan.

16. All vehicles, including passenger cars and pickup trucks, will overturn when subjected to extraordinary conditions. Among such conditions is sudden and inappropriate steering on paved or unsurfaced surfaces. For example, Carr Engineering, Inc. has demonstrated this in
tests conducted in November of 1984 in which a passenger car, a 4-wheel drive utility vehicle, and a pick-up truck were overturned due to steering losses alone on a flat paved surface at speeds below 40 mph. Others have found the same result in many tests. For example, the University of Michigan caused a Mercedes 4-door sedan and a Dodge Concorde sedan to overturn under similar conditions in a 1972 test that it conducted under a United States government contract. Overturn of vehicles, including all passenger cars, can and do occur under these and other conditions and the simple occurrence is not evidence of a defective design.

17. Cart Engineering, Inc. has investigated a variety of crashes in which a variety of circumstances caused the loss of control and overturn of a variety of vehicles. For example, Cart Engineering, Inc. investigated an overturn crash of a Ford Escort. Its driver failed to steer so that the road to the left of the Escort went straight to depart the paved road surface. The driver abruptly turned the steering to the left to regain the road causing the Escort to slide and overturn in the roadway. As another example, Cart Engineering, Inc. investigated a crash involving a Jeep Cherokee whose driver failed to steer to follow a right-hand curve in the roadway and instead allowed the Cherokee to depart from the left hand side of the roadway. He responded to that situation by pulling the steering to the right to regain the roadway and then to the left, allowing the vehicle to continue on the wrong side of the roadway. This maneuver resulted in the Cherokee's overturn on-road. A final example involves a crash involving a Chevrolet 5-10 Blazer whose driver allowed the vehicle to leave the traveled portion of an interstate highway and then steered abruptly to regain the road. He steering resulted in the 5-10 Blazer's overturn on-road. Other investigations, such as those employed by the United States Department of Transportation's National Accident Sampling System, have recorded on-road overturn crashes involving passenger cars, light trucks, vans, and utility vehicles. The Department of Transportation has estimated that approximately 223,000 rollover crashes take place in the United States annually. Two thirds of those involve common passenger cars and approximately 10,000 passenger cars overturn on-road annually.

18. The National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation has specifically responded to citizen petitions and other claims that various small utility vehicles are "defective" because of their handling, stability, and crashworthiness characteristics. Such investigations included vehicle models such as the Jeep CJ, the Suzuki Samurai, the Ford Bronco II, and the Isuzu Trooper. Each of these investigations have resulted in the Agency concluding that those specific vehicles and small utility vehicles as a class do not possess characteristics consistent with them being declared "defective" or any of those characteristics named above. In addition, NHTSA has studied rollover crashes since the early 1970s and has determined that it is inappropriate to promulgate any test or standard for rollover resistance. NHTSA has considered specific regulatory proposals for rollover resistance including a static stability factor (TSR), a tilt table, ratio, and a side, pull ratio, and has determined not to adopt such proposals. NHTSA has concluded that different classes of vehicles have different uses and different functional characteristics, including rollover resistance. NHTSA has concluded that the fact that certain
classes of vehicles have lower rollover resistance than full-size passenger cars does not render these vehicles defective or unsafe.

19. The tests used by Ford Motor Company to design and develop the Explorer are appropriate for this purpose and are consistent with industry practice. Successful completion of these tests would demonstrate that a vehicle had reasonably safe steering, handling, and stability characteristics. The nature of the tests is such that they would reveal "defective" conditions of handling and stability if such conditions existed. Ford also employs sophisticated computer simulation software called ADAMS as an added evaluation of vehicle safety. I have first-hand knowledge of Ford's vehicle test procedures and its use of the ADAMS software.

In summary, the design and manufacture of the 1995 Ford Explorer 4x4 is reasonably safe. The cause of this crash was that the driver apparently overreacted to the trend separation by steering roughly rather than steering the vehicle in a controlled way. The Explorer's design and construction are reasonably safe, are appropriate for a vehicle of its type, and did not cause this crash.

I have worked as an automotive engineer for more than 12 years and have formal training as an engineer. A resume which summarizes that experience is attached and it describes the background, experience, and training from which I may draw conclusions and opinions. Also attached is a list of my previous testimony. Carter Engineering, Inc. charges $285 per hour for my services in this matter.

Sincerely,

Donald F. Tandy, Jr.
Statistical Methods in Transportation and Safety Data Analysis for Highway Geometry, Design, and Operations

Safety and Human Performance
Injury Effects of Rollovers and Events Sequence in Single-Vehicle Crashes

Kimberly A. Krul, Asad J. Khattak, and Forrest M. Council

The objective of this research was to examine the sequence of events in rollover crashes and to identify factors that contribute to rollover accidents. Rollover crashes are a significant safety concern, and understanding the sequence of events can help in developing countermeasures to prevent or mitigate their impact. This study examines the sequence of events in rollover crashes and identifies factors that contribute to rollover accidents. The research findings can help in developing countermeasures to prevent or mitigate the impact of rollover accidents.

LITERATURE REVIEW

Two studies explored the sequence of events in rollover crashes. In one study, the sequence of events in rollover crashes was examined using a review of 250 rollover crash data. In this study, the sequence of events in rollover crashes was examined using a review of 250 rollover crash data. The sequence of events in rollover crashes was found to be a critical factor in determining the severity of injuries sustained by the occupants. The study found that the sequence of events in rollover crashes can be divided into three main stages: pre-crash, crash, and post-crash.

The pre-crash stage involves the factors that affect the rollover potential of the vehicle, such as the design of the vehicle, the road conditions, and the driver's behavior. The crash stage involves the factors that cause the rollover, such as the steering wheel angle, the brake pedal position, and the throttle position. The post-crash stage involves the factors that affect the severity of injuries sustained by the occupants, such as the deployment of airbags, the use of seat belts, and the severity of the rollover.

The research findings can help in developing countermeasures to prevent or mitigate the impact of rollover accidents. The sequence of events in rollover crashes can be divided into three main stages: pre-crash, crash, and post-crash. The pre-crash stage involves the factors that affect the rollover potential of the vehicle, such as the design of the vehicle, the road conditions, and the driver's behavior. The crash stage involves the factors that cause the rollover, such as the steering wheel angle, the brake pedal position, and the throttle position. The post-crash stage involves the factors that affect the severity of injuries sustained by the occupants, such as the deployment of airbags, the use of seat belts, and the severity of the rollover.

C. A. Krul, Department of Civil Engineering, North Carolina State University; and Forrest M. Council, Department of Civil Engineering, University of Washington. This research is supported by a grant from the National Highway Traffic Safety Administration (NHTSA). The authors thank the NHTSA for their support.

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higher for passenger cars than for light trucks. The Vamer et al. study (1) observed that in South Carolina data from 1994-1996, rear-end crashes were similar for passenger cars and light trucks. However, crashes involving two-seven passenger cars were slightly higher when compared to a group of non-frontal crashes involving only passenger cars or light trucks. These results were similar to those of the present study and are consistent with the hypothesis that rear-end crashes are more common in passenger cars than in light trucks.

High and Mail (2) explained the relationship between rear-end crashes and vehicle type by noting that vehicles with larger mass are more likely to be involved in such crashes. They also found that the likelihood of a rear-end crash increases with the mass of the rear-end vehicle. This is consistent with the findings of the present study and the hypothesis that larger vehicles are more likely to be involved in rear-end crashes.

High and Mail (2) also examined the impact of driver behavior on the occurrence of rear-end crashes. They found that drivers who were not attentive or did not follow traffic rules were more likely to be involved in rear-end crashes. This is consistent with the findings of the present study and the hypothesis that driver behavior plays a significant role in the occurrence of rear-end crashes.

The present study also found that rear-end crashes involving two-seven passenger cars were more likely to involve multiple vehicles. The hypothesis that multiple vehicle crashes are more likely to involve passenger cars was supported by the findings of the present study. This is consistent with the findings of the present study and the hypothesis that passenger cars are more likely to be involved in multiple vehicle crashes.

The present study also found that rear-end crashes involving two-seven passenger cars were more likely to be left-turn crashes. The hypothesis that left-turn crashes are more likely to involve passenger cars was supported by the findings of the present study. This is consistent with the findings of the present study and the hypothesis that passenger cars are more likely to be involved in left-turn crashes.

The present study also found that rear-end crashes involving two-seven passenger cars were more likely to be frontal crashes. The hypothesis that frontal crashes are more likely to involve passenger cars was supported by the findings of the present study. This is consistent with the findings of the present study and the hypothesis that passenger cars are more likely to be involved in frontal crashes.

The present study also found that rear-end crashes involving two-seven passenger cars were more likely to be rear-end crashes. The hypothesis that rear-end crashes are more likely to involve passenger cars was supported by the findings of the present study. This is consistent with the findings of the present study and the hypothesis that passenger cars are more likely to be involved in rear-end crashes.
<table>
<thead>
<tr>
<th>Country</th>
<th>Group</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>USA</td>
<td>Group A</td>
<td>First group description</td>
</tr>
<tr>
<td>Canada</td>
<td>Group B</td>
<td>Second group description</td>
</tr>
<tr>
<td>Mexico</td>
<td>Group C</td>
<td>Third group description</td>
</tr>
</tbody>
</table>

**Note:** Further details and expansions would be included in the full document. The table above provides a brief overview of the groups and their descriptions.
of observers are included and if the missing value(s) in systematically related to the dependent variable (e.g., missing one var-

able is more likely to be missing for necessary reasons). To deal with the missing-data problems, Analyst variables were excluded. They allowed the authors of this paper to retain some of the data that otherwise would not be used due to the relationship between missing data and injury severity.

The conditions in the model do not provide the marginal effects of the independent variables. That is, one cannot describe the effect on injury of a unit change in an independent variable from the model coefficients alone. To compute the marginal change in the probability of a severe injury, it is necessary to convert the adjusted coefficients obtained from the logit model into changes in probability.

The probability of a fatal or incapacitating injury (y = 1) is given by the following:

\[ P(y = 1) = f(Z) \]  

In Equation 1:

\[ f(Z) = \frac{e^{Z}}{1 + e^{Z}} \]  

where:

- \( \beta \) is a row vector of coefficients,
- \( X \) is a column vector of variables,
- \( e \) is the base of natural logarithms,
- \( f(Z) \) is the logistic probability function, and
- \( y = 1 \) when incapacitating or head injury is observed and \( y = 0 \) otherwise.

For continuous variables, the marginal change in the probability is given by the following:

\[ \Delta P(y = 1) = \beta X \]  

The change in the logistic function with respect to \( Z \) is

\[ \frac{\partial f(Z)}{\partial Z} = \frac{e^Z}{(1 + e^Z)^2} \]  

This result is then used to compute the marginal change in the probability given by

\[ \Delta P(y = 1) = \beta X \]  

The marginal change in probability is then given by

\[ \Delta P(y = 1) = \beta \theta P(y = 1) = \beta P(y = 1) \]  

Since the probability is a nonlinear function of \( \beta \), it is necessary to find the marginal change in probability at a certain set of \( \beta \) values.

The marginal changes are calculated at the means of both the continuous and discrete \( X \) variables. Interpretation must not go far beyond these means without changing these values in one or the other dependent variables.

For computing marginal changes in probability with respect to changes in the dummy variable, the change in probability is computed as the difference in probability between the variables at \( y = 1 \) and \( y = 0 \).

The probability that \( y = 1 \) is given by

\[ P(y = 1) = \frac{e^{Z}}{1 + e^{Z}} \]  

Then, the change in probability of observing \( y = 1 \) from changing \( x \) to \( x + 1 \) is given by

\[ \Delta P(y = 1|x, x + 1) = \frac{e^{Z}}{1 + e^{Z}} \left( 1 + \frac{e^{Z}}{1 + e^{Z}} \right) \]  

where \( P(y = 1|x, x = 0) \) is the probability of observing \( y = 1 \) for \( x = 0 \) all other variables are at their means, and \( P(y = 1|x, x = 1) \) is the probability of observing \( y = 1 \) for \( x = 1 \) all other variables are at their means. These are the indicator marginal effects.

**FINDINGS**

**Overview**

Driver injuries are split into two binary variables for (X = 1) injuries and for incapacitating/fatal injuries (X = 0). The incapacitating and fatal injuries are referred to as "severe injuries" and the incapacitating fatalities are referred to as "injury." The resulting distribution between severe and nonsevere single-vehicle crashes is presented in Table 2. The total number of single-vehicle crashes is 39,143, 33,447 crashes from Michigan and 2,229 crashes from Illinois.

The data for these crashes that involved a fatality is in Table 3. From these 39,143, only 1,271 had reported presence-of-evens data for the likelihood/predict values. Of these crashes with relevant sequences-of-events data, 3,311 crashes were from Illinois and 6,240 from Michigan.

For both means, 5 percent of single-vehicle crashes were either (5.365 and 5.978), suppressed-vary. Times in variation across the two states, with Illinois single-vehicle crashes being more

**Table 2: Distribution of Illinois and Michigan Driver Injuries for Single and Nonfatal Single-vehicle Crashes**

<table>
<thead>
<tr>
<th>State (Illinois)</th>
<th>Michigan (1990)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-severe</td>
<td>39,143</td>
<td>33,447</td>
</tr>
<tr>
<td>Severe</td>
<td>1,271</td>
<td>6,240</td>
</tr>
</tbody>
</table>

**Table 3: Distribution of Illinois and Michigan Driver Injuries for Single and Nonfatal Single-vehicle Crashes**

<table>
<thead>
<tr>
<th>State (Illinois)</th>
<th>Michigan (1990)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-severe</td>
<td>39,143</td>
<td>33,447</td>
</tr>
<tr>
<td>Severe</td>
<td>1,271</td>
<td>6,240</td>
</tr>
</tbody>
</table>
386

Table 3: Independent Variables for Michigan, Illinois, and Florida Data

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Median age</td>
<td>32.845</td>
<td>46.852</td>
<td>42.77</td>
<td>0.009</td>
</tr>
<tr>
<td>Speed limit</td>
<td>55.00</td>
<td>65.00</td>
<td>70.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Left-turn collision</td>
<td>10.00</td>
<td>15.00</td>
<td>20.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Right-turn collision</td>
<td>5.00</td>
<td>10.00</td>
<td>15.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Intersection collision</td>
<td>15.00</td>
<td>20.00</td>
<td>25.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Pedestrian collision</td>
<td>20.00</td>
<td>25.00</td>
<td>30.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Motorcyclist collision</td>
<td>10.00</td>
<td>15.00</td>
<td>20.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Bicycle collision</td>
<td>5.00</td>
<td>10.00</td>
<td>15.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Drown</td>
<td>15.00</td>
<td>20.00</td>
<td>25.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Fatality</td>
<td>20.00</td>
<td>25.00</td>
<td>30.00</td>
<td>0.000</td>
</tr>
<tr>
<td>% Injury</td>
<td>30.00</td>
<td>35.00</td>
<td>40.00</td>
<td>0.000</td>
</tr>
</tbody>
</table>

Table 4: Single-Vehicle Crash Model

The table displays the results for Michigan, Illinois, and the two states combined. The dependent variable—"severity"—was added to account for any differences in injury severity between Illinois and Michigan that were not accounted for by the other variables. The p-values, coefficients, and marginal effects are provided for each independent variable. Independent variables with p-values less than 0.100 significantly affect the occurrence of an injury severity (at the 10 percent (small) level). Negative coefficients indicate the probability of severe injury; positive coefficients increase the probability. The coefficients of each variable were used in the calculation of the marginal effect. The marginal effect of each variable on the probability of severe injury was fixed by holding the other independent variables at their mean. The marginal effect reported for each independent variable is the change in the probability of having a severe injury for a one-unit change (increase) in the independent variable. The indicator marginal effect reported for discrete variables is the change in the probability of having a severe injury for each category in relation to the base category. Positive marginal effects increase the probability of severe injury.
TABLE 4   Simple  Valds  for  Mixed  Model  Analysis  of  Seriousness,  Michigan,  and  Postal  Data

<table>
<thead>
<tr>
<th>Variable</th>
<th>Seriousness</th>
<th>Michigan</th>
<th>Postal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distance traveled</td>
<td>0.77</td>
<td>0.47</td>
<td>0.40</td>
</tr>
<tr>
<td>Age of Driver</td>
<td>-0.22</td>
<td>-0.21</td>
<td>-0.20</td>
</tr>
<tr>
<td>Speed Limit</td>
<td>0.38</td>
<td>0.30</td>
<td>0.26</td>
</tr>
<tr>
<td>Weather conditions</td>
<td>-0.15</td>
<td>-0.13</td>
<td>-0.11</td>
</tr>
<tr>
<td>Day of Week</td>
<td>0.15</td>
<td>0.14</td>
<td>0.13</td>
</tr>
<tr>
<td>Time of Day</td>
<td>-0.02</td>
<td>-0.01</td>
<td>-0.01</td>
</tr>
<tr>
<td>Road condition</td>
<td>-0.01</td>
<td>-0.01</td>
<td>-0.01</td>
</tr>
<tr>
<td>Intercepts</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

Note: Values represent the change in the probability of serious injuries when compared to the base model.

The Michigan model includes the variable "speed limit" which represents the change in the probability of serious injuries when compared to the base model.
the same crash as "Rollover-Left" and "Rollover." The rollover is the major event and the point of impact occurs on the left side of the vehicle or vehicle. This scenario exemplifies the problems with identifying the severity of rollover crashes as a function of location of impact.

To examine these patterns, the value of rollover, single-vehicle, non-fatal-severe crashes were examined for five categories: (a) noted over bided after leaving the roadway; (b) left the roadway, left a point north; and then noted over; (c) left the roadway, left a point westward; and then noted over; (d) left the roadway, left a point southward; and then noted over; (e) left the roadway, left a point northeast; and then noted over. Crashes that did not fit into one of these five categories were excluded. Table 5 presents the distribution of severe injuries by percentages of the seven categories. The categories "Hit Object That Resulted" and "Hit-Left-Side-Crash That Resulted" appear to be the most dangerous over sequences when examining the severity of injuries.

Using the nature of rollover crashes that has a limited sequence of events, a set of models with alternative specifications was estimated. These rollover-vehicle-impact models used the independent variables estimated by the single-vehicle crash patterns, in addition to the severance category. Table 5 lists the resulting model variables, equations, and marginal effects for the Michigan, Illinois, and total data sets.

From the Michigan data that estimated at 16 degrees of freedom, the importance of the result that all of the coefficients are equal to zero can be expanded for the Michigan, Illinois, and total models. The marginal probability of the variables shows that the period (median) increases the risk (the Michigan model it is better than the Illinois model). Based on a Chi-squared test of the log likelihood or consequence, the estimated models are better than the period field.

The results of the Michigan scenario are reported in Table 5, as the "Hit-Left-Side-Crash That Resulted." The variable "Hit-Left-Side-Crash That Resulted" significantly improves the probability of severe injury in the median and non-severe injury, but it is not significant for the total model, whereas hitting a longitudinal object and then rolling increases the chance by 1 percent. Although, the coefficient of the category "Hit-Left-Side-Crash That Resulted" is not significant at the 0.05 level for any of the data sets. Therefore, it is an interesting significant difference between rolling over first, or hitting the earth and then rolling over. The category "Hit-Crack-Object That Resulted" has a relatively small sample size of 100 cases.

The vehicle categories are reported in relation to the category "Hit-Crack-Object That Resulted" and "Hit-Left-Side-Crash That Resulted" for the discussions in the study. The category "Hit-Left-Side-Crash That Resulted" for all vehicles that have 0.05 level for the Michigan data. In the Illinois data, vehicle categories demonstrate the probability of severe injury, followed closely by pickup truck. It must be noted again that the probability of severe injury is related to a pedestrian car for single-vehicle, not the road relations.

Policy Implications

This study supports earlier findings and presents new information. The analysis made the importance of removing unsafe vehicles present in the severe injury in single-vehicle crashes and the fact that rollover increases such injury. Research and implementation funds should continue to be spent on reducing and rollover-related prevention programs, such as barrier guard, rearview mirrors, improved seat belts, and airbags.

The rollover-vehicle-impact crashes are reported in relation to the category "Hit-Object That Resulted." The variable "Hit-Object That Resulted" significantly improves the probability of severe injury in the median and non-severe injury. The postulated model suggests that hitting a point north and then rolling increases the chance of severe injury by 1 percent, whereas hitting a longitudinal object and then rolling increases the chance by 1 percent. Although the coefficients of the category "Hit-Object That Resulted" is not significant at the 0.05 level for any of the data sets.
were less likely to be injured compared with passenger-car drivers in single-vehicle, non-crash circumstances (referred to as "crashes of minor severity"). This may be due to the fact that more crash energy (e.g., higher crash speed) is required to result in a passenger car to avert or escape from a vehicle crash, thus the severity of such a crash will be greater. However, the more severe crash is more likely to cause serious injury in these cases, and the injury is more severe. Therefore, accidents are more likely to cause serious injury than crashes of minor severity. Efforts to mitigate the severity of crashes should be directed to all vehicle types and not necessarily to a given class of vehicles.

The analysis of the relationship between the severity of crashes and the injury severity of drivers led to the following conclusions:

1. The severity of crashes is directly related to the injury severity of drivers. The higher the crash severity, the higher the injury severity of drivers.
2. The severity of crashes is inversely related to the injury severity of drivers. The higher the crash severity, the lower the injury severity of drivers.
3. The severity of crashes is not related to the injury severity of drivers. The crash severity and the injury severity of drivers are independent of each other.

CONCLUSION

This study analyzed the effect of crashes on the injury severity of single-vehicle crashes and found that the severity of crashes is a significant predictor of injury severity. The study is limited by the quality of

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The table provided below shows the results of the analysis of crashes of minor severity compared with crashes of severe severity, as well as the results of the analysis of crashes that involve a motorcycle and a pedestrian, and the results of the analysis of crashes that involve a pedestrian. The table includes the number of crashes, the number of injured drivers, and the number of fatalities in each type of crash.

<table>
<thead>
<tr>
<th>Type of Crash</th>
<th>Number of Crashes</th>
<th>Number of Injured Drivers</th>
<th>Number of Fatalities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorcycle</td>
<td>123</td>
<td>123</td>
<td>123</td>
</tr>
<tr>
<td>Pedestrian</td>
<td>56</td>
<td>56</td>
<td>56</td>
</tr>
<tr>
<td>Total</td>
<td>179</td>
<td>179</td>
<td>179</td>
</tr>
</tbody>
</table>

The table shows that the number of crashes is the same for each type of crash, but the number of injured drivers and the number of fatalities vary significantly. The table also shows that the number of injured drivers and the number of fatalities are higher for crashes involving a motorcycle and a pedestrian compared with crashes involving a pedestrian alone. The table also shows that the number of injured drivers and the number of fatalities are higher for crashes involving a motorcycle compared with crashes involving a pedestrian alone.
the police-reported crash data with regard to missing cases, self-reported variables (i.e., seat belt use, expanded variables, and driver alcohol use), these variables and their statistical significance. However, the authors have attempted to control for as many unmeasured variables as possible by using regression models with appropriate specifications.

The variables that increase the probability of severe injury to vehicle occupants are severe environment, passengers in the car, sex and age of driver, and alcohol involvement. Additionally, higher speed limits (as opposed to urban) and higher speed limits (as opposed to rural) also seem to increase the severity of injuries to vehicle occupants. The authors also compare the effects of these variables to the results of previous studies to evaluate their reliability.

For future research, the authors suggest that research should focus on the effects of these variables on severe injuries to vehicle occupants. In particular, research should focus on the effects of alcohol involvement, age, and sex on severe injuries. These variables are important predictors of severe injuries and should be controlled for in future studies.

ACKNOWLEDGEMENTS

The data for this paper were collected from the National Highway Traffic Safety Administration (NHTSA) database. The authors appreciate NHTSA's support in providing these data, as well as the data provided by the Indian Institute of Technology.

REFERENCES


The authors gratefully acknowledge the assistance of Dr. J. D. Voas, Mr. N. K. Hauer, and Ms. R. A. Brandstetter in providing data for this study.
<table>
<thead>
<tr>
<th>Year</th>
<th>Rates of Occupant Deaths in Vehicle Rollover: Importance of Fatality: Risk Factors</th>
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<tbody>
<tr>
<td>1999</td>
<td>Donelson, A.C.; Ramachandran, K.; Zhao, K.; Kalinowski, A.</td>
</tr>
<tr>
<td></td>
<td>Transportation Research Record - Journal of the Transportation Research Board 1665</td>
</tr>
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ID: 00771219
Title: RATES OF OCCUPANT DEATHS IN VEHICLE ROLLOVER: IMPORTANCE OF FATALITY-RISK FACTORS
Author: Donelon, A.C; Ramachandran, K; Zhao, K; Kalinoski, A
Corporate Author: Transportation Research Board
Series: Transportation Research Record - Journal of the Transportation Research Board 1665
Pages: pp 109-117
Date: 1999
ISBN: 0399670651
ISSN: 03611983
Features: 1 Fig. 6 Tab. 15 Ref.
Abstract: Fatality-based rates—for example, the numbers of occupant deaths per 10,000 registered vehicle years—are often used to compare the “real-world performance” of passenger vehicles. One assumption, often implicit, is that such rates reflect more the design or characteristics of vehicles and less the human and environmental factors that can increase the risk of fatality. The purpose of this study was to examine the importance of selected fatality-risk factors for the magnitude and meaning of fatality-based rates. The objectives were to quantify the influence of fatality-risk factors, to adjust fatality-based rates for that influence, and to assess how well adjusted rates measured differences for various groupings of vehicles. The focus of this study was on rollovers in single-vehicle crashes involving light-duty trucks. Statistical models of fatality risk were developed with multivariate logistic regression applied to data on single-vehicle rollovers of any severity. Raw counts of occupant fatalities based on data from the Fatality Analysis Reporting System were then adjusted. Finally, the statistical reliability of differences in adjusted rates was estimated. Results indicated that adjusted rates were a very small fraction of crude rates. Differences in rates for light trucks decreased greatly and, in general, became statistically insignificant. Studies comparing fatality-based rates among vehicles need careful, statistical control of factors that increase the risk of fatal injury. Fatal crashes are rare and have special attributes. Rollover research specific to vehicles would do well to concentrate on crashes of any severity, which, for vehicles grouped by make and model, demands reference to large-volume files maintained by states.
Notes: This paper appears in Transportation Research Record No. 1665. Statistical Methods in Transportation and Safety Data Analysis for Highway Geometry, Design, and Operations.
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Rates of Occupant Deaths in Vehicle Rollover
Importance of Fatality-Risk Factors

ALAN C. DONELSON, KARUNA RAMACHANDRAN, KE ZHAO, AND ANN KALINOWSKI

Fatality-based rates—for example, the number of occupant deaths per 100,000 registered vehicles—are often used to compare the "real-world performance" of passenger vehicles. One exception, however, is that such rates reflect more the design and construction of vehicles and less the human and environmental factors that can account for the rate of fatality. The purpose of this study was to examine the importance of selected fatality-risk factors for the magnitude and ranking of fatality-based rates. The objective was to quantify the influence of fatality-risk factors in terms of fatality-based rates for each vehicle type, and to quantify the relative importance of these factors for various groups of vehicles. The focus of this study was on differences in single-vehicle crashes involving high-fatality risk. Examined factors were evaluated for their variation in fatality rates among different vehicle classes and types.

A definition of fatality-based rates and a discussion of sources of data used to measure these rates is presented in this study. For occupants of passenger vehicles, the risk of fatal injury is typically evaluated as a rate (or rate) for example, the number of fatalities per 100,000 registered vehicles. In the United States, counts of fatalities in nonpassenger vehicles are compiled and available online. Using exposure data, the denominator for fatality-based rates is the number of miles driven for each vehicle type. Differences in exposure among vehicle types and manufacturers can affect the results of this study. As discussed above, there is an alternative approach to estimating exposure. Counts of vehicles registered for on-road use can serve as an indirect measure of exposure. Moreover, for vehicles involved in traffic fatalities, the number of miles driven for each type of vehicle is often used to directly compare differences in exposure.
Even among contemporary vehicles of comparable size and type, however, occupant injury rates can vary by a factor of 2 to 3, a fact that has been documented consistently by the NHTSA (14). At the same time, factors like drunken driving and occupant ejection—suggested very frequently as the factors involved in fatal crashes—are known to increase the risk of fatality substantially, given crash involvement (5,7). Analysis of in which probability of occurrence are conditioned on the occurrence of crashes (6-8) offers fundamentally from competitive risk studies that use data on vehicle registration or in normal single-vehicle events of crash death or occupant death. This latter concept of risk is particularly susceptible to possible confounding effects of fatal-risk factors. In summary, recent studies and static factors of fatality-related risk influence of factors related both to risk of ejection and to risk of fatal injury. Also of the data were to examine the importance of external

1. To quantify the influence of fatal-risk factors with statistical modeling.
2. To identify causes of occupant fatalities by using low-cost, statistically, the effect of fatal-risk factors, and
3. To examine how reliability-adjusted rates measured remaining differences among groups of vehicles.

Motor-vehicle crashes are diverse and inherently complex events. There are at least four major categories of collisions: head-on, side impact, rear-end, and rollover. Because the scope of work included both developing and applying a statistical method, the study focused on one type of crash (single-vehicle rollover) and one class of vehicle (light-duty trucks). However, for the past 10 years, rollovers have attracted much attention, mainly centered on sport utility vehicles. Motorcycle riders have occupied a prominent place in the ongoing discussion (7,15).

METHOD

The approach to this study involved five steps:

1. Identify factors associated with fatal injury in single-vehicle rollover crashes.
2. Develop a scoring system for predicting fatal injury in single-vehicle rollover crashes (light-duty trucks) involved in single-vehicle rollovers of any severity.
3. Develop and evaluate statistical models for predicting fatal injury in single-vehicle rollover crashes (light-duty trucks) involved in single-vehicle rollovers of any severity.
4. Develop multiple logistic models to data on occupant survival in single-vehicle rollover crashes (light-duty trucks) involved in single-vehicle rollovers of any severity.
5. Examine statistical differences in adjusted rates for vehicles grouped by type and size and, for selected vehicles, by make and model.

The statistical methods developed for and applied in the study in detailed below:

Among the many large aerial crash databases maintained by Federal, State, and local authorities, the Florida Motor Vehicle Crash Database maintained by the Florida (1966-1996) was selected for analysis. Florida has substantial populations of people and vehicles and, of course, a corresponding large volume of data on motor vehicle crashes. Florida's crash files3 contained the same data needed to identify and assess fatal-risk factors, including well-coded VNI.

Analysis of descriptive data involved a comprehensive survey of information on crashes, vehicles, and occupants. Frequently-occurring factors associated with fatal injury were defined as variables for inclusion in statistical models. The GEMMOD procedure with logistic link function in SAS (16) was used to predict fatality for occupants of light-duty trucks in single-vehicle rollovers. GEMMOD was used instead of the LOGISTIC procedure because the variables being used were numeric. Results showed that unknown blood or was traditionally under-rated. To obtain estimates of di mortality, LOGISTIC was used. Casual in which an occupant was seated unknown, but we were dropped from these analyses, and the variable blood was not used only two variables included, not included. In all instances, results of the two procedures were almost identical.

The risk of fatality in single-vehicle rollovers appears to be strongly associated with total number of occupants in light-duty trucks. Percentages of fatalities among single-vehicle rollover (5.9), 4.8, 3.0, and 1.8 percent for vehicles with 1 to 4 occupants, and with 5 to 10 occupants, respectively. That, based on vehicle occupancy, five statistical models were developed. Occupants of vehicles rated as having more than 10 occupants were excluded from analysis. This approach dealt with the increased risk of fatality due to its protected number of occupants in a single-vehicle rollover. It also accounted for possible differences in factors associated with vehi-

...
In Table 1, the sum of occupant deaths was set at the sum of predicted probabilities of occupant deaths was fixed, and the sum of adjusted probabilities was two. As a second step, initially adjusted probabilities were reestimated as indicated by the following equation:

\[
Y_a = \frac{\sum Y \cdot n_i}{\sum \sum Y \cdot n_i} - \frac{\sum \sum \sum Y \cdot n_i - \sum \sum Y \cdot n_i}{\sum \sum \sum \sum Y \cdot n_i - \sum \sum \sum n_i} \times \sum \sum n_i
\]

where \( Y_a \) is the total number of fatalities observed for vehicle Group G, and \( Y \) equals the total number of occupants for all vehicles in Group G that contain occupants. For example, each vehicle in accident numbers 1 and 3 has 3 occupants, so \( n_i = 3 \), and \( n_i = 2 \) for each vehicle in accident numbers 2 and 5, so \( n_i = 4 \). The probability of death for the ith occupant in vehicles with \( \alpha_i = n_i \) is \( p_i \) estimated by the logistic regression model derived from the Florida data, and \( n_i \) is the probability of death at the baseline (or lowest) risk condition in models for vehicles with occupants.

Based on logistic regression models, the fully adjusted count of occupant fatalities for a group of vehicles is given by the following equation:

\[
Y_a = \frac{\sum Y \cdot n_i}{\sum \sum Y \cdot n_i} - \frac{\sum \sum \sum Y \cdot n_i - \sum \sum Y \cdot n_i}{\sum \sum \sum \sum Y \cdot n_i - \sum \sum \sum n_i} \times \sum \sum n_i
\]

where \( Y_a \) is the estimated number of occupant fatalities, \( Y, n_i \) and \( p_i \) are as defined above, and \( \alpha_i \) is the number of occupants in vehicle \( i \).
that adjusted injury counts were Poisson distributed. We adopted a widely used approach in epidemiology to construct confidence intervals for the SNR (11, pp. 69–71). These confidence intervals discounted whether differences in means among groups of vehicles were statistically significant. When the observed or fully adjusted count of facilities was less than or equal to 20, exact confidence bounds for the SNR of the uncorrected Poisson-distributed observations (that is, counts of facilities) were used. For counts of facilities greater than 20, Byar's approximation to normal confidence limits was used. The two methods converge to the same value for the lower and upper bound when Poisson-distributed observations equal 20 or more (35, p. 71).

RESULTS

Identification, Assessment, and Selection of Fatality-Risk Factors

Recent serious data on about 51,000 occupants of light-duty trucks (pickup trucks, utility vehicles, and vans) in single-vehicle rollover were extracted from a vehicle crash file from Florida (1986–1996). Information related to crash, vehicle, driver, and other occupants was examined for frequency and confirmability of coding as well as for apparent association with final injury to occupants. Among factors found associated with occupant injury were the following:

- Weekend (defined as 10 p.m. Friday to 4 a.m. Monday).
- Divided highway.
- Rural area.
- Male driver.
- Driver in lead.
- Nighttime hours (defined as 10 p.m. to 4 a.m.).
- Darklight.
- Posted speed limit 80 km/h (50 mph) or greater.
- No adverse weather condition.
- Occupant 65 years or older.
- Alcohol or drug use by driver.
- Unladen occupant.
- Occupant ejection.

Characteristics of fatal single-vehicle rollovers in Florida were compared with those found in FARS (Figure 1). In general, pre-impact component of selected factors were very similar. Notably, occupants of light-duty trucks in fatal single-vehicle rollovers in Florida were more often required to stand / (26 versus 51 percent nationally). Fatal single-vehicle rollovers in Florida had lower percentage for both curved road and higher posted speed limits and slightly higher percentages for drinking driver and occupant ejection.

Development and Evaluation of Statistical Models

Table 2 presents the five statistical models developed for light-duty trucks involved in single-vehicle rollovers of any severity and grouped by number of occupants. The total number of occupants included in these analyses was 54,830. About 51 percent of the vehicles had only one occupant and about 23 percent had two occupants. About 10 percent of all occupants were in relation with between 5 and 10 occupants. The models differed somewhat in the number and identity of explanatory variables. Among the variables, occupant ejection and driver age were the most important factors, followed by seat belt and restraint use by driver. Values of statistics on 35-transformed indicated that each model was highly reliable and had good predictive capability.

![Diagram](https://example.com/diagram.png)

**Figures 1:** Percentage of occupants fatally injured in single-vehicle rollovers with high-risk conditions for selected factors.

**Source:** FARS, 1984–1994, n = 77,015; Florida auto-truck accident file, 1986–1995, n = 1,413, 1 line = 0.62 mi.

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*Goodness of fit statistic for models estimated without the category "interstate route". 1 x < .001 x 1.

Application of Statistical Models and Adjustment for Fatality-Risk Factors

Information on about 10,000 occupants of light-duty trucks in fatal single-vehicle rollaways was initially extracted from FRAS (1978-1994). Logistic models presented in Table 2 were first applied to predict the probability of death for each occupant at light-duty trucks, grouped by number of occupants. Note that permutations of explanatory variables gave rise to many risk scenarios for occupants of light-duty trucks. A scenario is a unique combination of risk conditions defined by the family-risk factors (i.e., the explanatory variables). For example, Table 5 lists the 48 possible scenarios for occupants of vehicles that had only one occupant (see also Table 2). Scenario 22 was the baseline scenario (or estimating relative odds of death for the other scenarios). At least one occupant was found in all but one scenario (Scenario 6). Scenario 19, with odds of death 2.909 relative to baseline Scenario 22, had higher risk conditions for all five explanatory variables. Scenario 21, with relative odds of death of 0.8, had lower risk values for all variables. The highest number of occupants was found in Scenario 1 (4.11), 20 percent of all occupants

TABLE 2.3 Relative Odds of Death for Occupants of Light-Duty Trucks In Fatal Single-Vehicle Rollaways: Occupants of Vehicles with Only One Occupant

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<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>45</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>46</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>47</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>1.00</td>
<td>1.00</td>
</tr>
<tr>
<td>48</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>1.00</td>
<td>1.00</td>
</tr>
</tbody>
</table>


*Relative odds coefficients to baseline scenario (see text).
single-occupant vehicles). Scenarios also had substantially elevated relative risks of death (47%). Higher-risk conditions included vehicle, driving-time, occupant-related, roadway-related, but not vehicle-related conditions. Scenarios were based on occupant of vehicles or vehicle groups, further defined by characteristics of type and size. A subset of occupant records was selected from NASS (1979-1996) for light-duty trucks, modeled year 1978 or later, with male, non-smoking, body style, and vehicle driven and linked to corresponding data on registered vehicles from FHS.Occupants in real single-vehicle collisions were selected by characteristics of vehicles—that is, by type and size or, for analysis of specific vehicles, by make and model. The national sample size in each scenario might be expressed as follows:

Sample: size for the required number of higher-risk conditions defined for facility-risk factors (e.g., vehicle, action, driving time), what was the probability that the occupant would have received that injury?

At the level of the vehicle, the corresponding was:

But for the highest-risk conditions subjected for each scenario, one was the probability the occupant’s crash would have been included in PARCS at all.

Sample was based on fully adjusted counts of occupant fatalities were then compared among groups of vehicles. Tables 4, 5, and 6 present findings from analysis of occupant fatalities in light-duty trucks. Findings from vehicle-level analysis were presented here, were very similar to those from occupant-based analysis. Groups of light trucks were defined by type (pickup trucks, utility vehicles, and van-type) and size (according to length of windshield rail, load, for pickup trucks and utility vehicles, by wheel drive (four-wheel drive versus rear-wheel drive). The formulas in Table 4 are defined in groups for some groups of vehicles in Tables 4 and 5. Each table presents data on total exposure in registered vehicle years, row and fully adjusted counts of occupants, and row and fully adjusted rates of fatal injury. In Table 4, using the PARCS with confidence intervals, we present each group of trends of light trucks identified by make and model.

In general, rates of occupant deaths fully adjusted for facility-risk factors were a small fraction of average, ranging from 0.3 to 2.2 per cent. Absolute differences among groups of vehicles decreased greatly, whether in reference to average for light-duty trucks at a class (Table 6), or to average for all light-duty trucks grouped by type (Table 5). Four groups of vehicles had an average rate that was significantly higher than the average for all light-duty trucks included in the analysis. For comparisons within each type, only one group among pickup trucks (small, 4 x 4) and one group among utility vehicles (large, 4 x 4) had adjusted rates significantly above average for their type.

For vehicles specified by make and model (Table 6), rates of occupant deaths fully adjusted for facility-risk factors were also greatly reduced, ranging from 0.9 to 1.6 per cent of corresponding roughness. Again, absolute differences among pickup trucks and utility vehicles decreased greatly. With one vehicle having a higher than-

<table>
<thead>
<tr>
<th>Vehicle Groups</th>
<th>Years of Use</th>
<th>Total Occupant Fatalities</th>
<th>Adjusted Fatality Rate</th>
<th>Raw Rate</th>
<th>Adjusted Mortality Rate</th>
<th>Standardized Lower Upper Bound Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pickup Truck, Large 4x4</td>
<td>44.22, 73.19</td>
<td>2,870, 2,005</td>
<td>0.06</td>
<td>0.05</td>
<td>0.05</td>
<td>0.04, 0.06</td>
</tr>
<tr>
<td>Pickup Truck, Large 4x4</td>
<td>44.22, 73.19</td>
<td>2,870, 2,005</td>
<td>0.06</td>
<td>0.05</td>
<td>0.05</td>
<td>0.04, 0.06</td>
</tr>
</tbody>
</table>

In Table 4-6 the data represent that there are no upper and lower bounds for the reference value of 1.0.
### Table 1: Occupant Deaths in Single-Vehicle Collisions—Raw Rates and Rates Adjusted for Fatality-Risk Factors: Light Duty Trucks Grouped by Type and Size Compared with a Range for Types of Trucks

<table>
<thead>
<tr>
<th>Vehicle Groups</th>
<th>Years of Use</th>
<th>Total Occupant Fatalities</th>
<th>Occupant Count</th>
<th>Calculated Rate</th>
<th>Adjusted Rate</th>
<th>Mortality</th>
<th>Lower Bound</th>
<th>Upper Bound</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pickup Trucks, Large, 4x2</td>
<td>81,587,875</td>
<td>3,396</td>
<td>39.2</td>
<td>0.06</td>
<td>0.06</td>
<td>0.61</td>
<td>0.18</td>
<td></td>
</tr>
<tr>
<td>Pickup Trucks, Large, 4x4</td>
<td>34,997,201</td>
<td>3,215</td>
<td>36.2</td>
<td>0.06</td>
<td>0.06</td>
<td>0.61</td>
<td>0.18</td>
<td></td>
</tr>
<tr>
<td>Pickup Trucks, Medium, 4x2</td>
<td>46,464,851</td>
<td>533</td>
<td>11.9</td>
<td>0.02</td>
<td>0.02</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>Pickup Trucks, Medium, 4x4</td>
<td>17,350,372</td>
<td>342</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Pickup Trucks, Small, 4x2</td>
<td>69,968,141</td>
<td>490</td>
<td>6.9</td>
<td>0.07</td>
<td>0.07</td>
<td>0.77</td>
<td>0.21</td>
<td></td>
</tr>
<tr>
<td>Pickup Trucks, Small, 4x4</td>
<td>16,745,263</td>
<td>4,413</td>
<td>3.95</td>
<td>0.12</td>
<td>0.12</td>
<td>1.31</td>
<td>0.41</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Large, 4x2</td>
<td>4,724,545</td>
<td>508</td>
<td>10.9</td>
<td>0.02</td>
<td>0.02</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Large, 4x4</td>
<td>2,081,209</td>
<td>295</td>
<td>18.7</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Medium, 4x2</td>
<td>6,387,857</td>
<td>344</td>
<td>5.5</td>
<td>0.01</td>
<td>0.01</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Medium, 4x4</td>
<td>43,875,111</td>
<td>1,200</td>
<td>2.8</td>
<td>0.03</td>
<td>0.03</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Small, 4x2</td>
<td>931,637</td>
<td>672</td>
<td>9.1</td>
<td>0.02</td>
<td>0.02</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Utility Vehicles, Small, 4x4</td>
<td>13,740,977</td>
<td>4,693</td>
<td>3.1</td>
<td>0.02</td>
<td>0.02</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Sedans Compared to Average for Vans</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Van, Large</td>
<td>32,610,361</td>
<td>5,223</td>
<td>16.2</td>
<td>0.05</td>
<td>0.05</td>
<td>0.32</td>
<td>0.10</td>
<td></td>
</tr>
<tr>
<td>Van, Small</td>
<td>7,120,840</td>
<td>5,439</td>
<td>2.3</td>
<td>0.02</td>
<td>0.02</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
</tbody>
</table>

### Table 2: Occupant Deaths in Single-Vehicle Collisions—Raw Rates and Rates Adjusted for Fatality-Risk Factors: Compartments of Light-Duty Trucks Defined by Make, Model, and Range of Model Years

<table>
<thead>
<tr>
<th>Vehicle Make, Model, Model Year Range</th>
<th>Years of Use</th>
<th>Total Occupant Fatalities</th>
<th>Occupant Count</th>
<th>Calculated Rate</th>
<th>Adjusted Rate</th>
<th>Mortality</th>
<th>Lower Bound</th>
<th>Upper Bound</th>
</tr>
</thead>
<tbody>
<tr>
<td>1981-1986 Ford Bronco II/II &amp; III</td>
<td>249,312</td>
<td>374</td>
<td>39.2</td>
<td>0.06</td>
<td>0.06</td>
<td>0.61</td>
<td>0.18</td>
<td></td>
</tr>
<tr>
<td>1979-83 Ford Ranchero</td>
<td>3,565,349</td>
<td>1,334</td>
<td>10.9</td>
<td>0.03</td>
<td>0.03</td>
<td>0.19</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1984-86 Ford Mustang</td>
<td>4,937,613</td>
<td>1,345</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1983-84 Chevrolle/GMC Raider II</td>
<td>2,717,496</td>
<td>616</td>
<td>9.1</td>
<td>0.02</td>
<td>0.02</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>1984-84 Dodge Caravan</td>
<td>2,735,629</td>
<td>270</td>
<td>12.2</td>
<td>0.03</td>
<td>0.03</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>1983-84 Chevrolet T10 Aerocar</td>
<td>1,300,029</td>
<td>127</td>
<td>10.3</td>
<td>0.03</td>
<td>0.03</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1983-83 Isuzu T30 Short Bed Ext &amp; Compact</td>
<td>1,839,058</td>
<td>315</td>
<td>9.1</td>
<td>0.02</td>
<td>0.02</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>1984-85 Toyota RAV4 Short Bed &amp; Ext</td>
<td>625,300</td>
<td>201</td>
<td>5.6</td>
<td>0.02</td>
<td>0.02</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1984-86 Honda Accord</td>
<td>1,856,146</td>
<td>105</td>
<td>5.1</td>
<td>0.02</td>
<td>0.02</td>
<td>0.19</td>
<td>0.06</td>
<td></td>
</tr>
<tr>
<td>1984-86 Dodge Dakota</td>
<td>3,806,080</td>
<td>420</td>
<td>37.2</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1984-86 Dodge Diplomat (not ext)</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1985-86 Dodge Diplomat (not ext)</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1986-86 Dodge Diplomat</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1985-86 Chrysler TC Maserati (not ext)</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1985-85 Chrysler TC Maserati (not ext)</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>1986-85 Chrysler TC Maserati (not ext)</td>
<td>4,236,855</td>
<td>820</td>
<td>19.1</td>
<td>0.04</td>
<td>0.04</td>
<td>0.27</td>
<td>0.09</td>
<td></td>
</tr>
</tbody>
</table>
averages two noise as references, results for comparison vehicles indicated that noise adjusted for facility-risk factors did not differ significantly.

**DISCUSSION OF RESULTS**

This study dealt generally with the magnitude and meaning of facility-based noise. Of specific concerns were those that define an average noise level having two (or more) key dimensions—time, facility (count of injury and reliance on type of crash)—and, further, that use an instrumentation of exposure with no constraints on other factors (e.g., numbers of vehicles registered over time). To explain differences in noise of real-world facilities, comparisons considered two sets of facility exposure factors: facility risk factors and reform risk factors. Certain factors may be in numbers of both sets. For example, at random driving is associated with increased risk of facility injury, given crash involvement, impairment by alcohol, and exposure. Addition to factors that define noise exposure, the relative importance of these sets of noise is observed more under circumstances.

The two factors for finding average noise levels in PARS is facility injury or more persons involved. Thus, the right choice of noise—accounts of facility risk factors in facility risk factors—reduced the likelihood of finding facility risk factors. Indeed, factors such as drinking drivers, failure to use seat belts, speed, and road conditions are found with remarkable frequency in facility risk factors in facility risk factors.

Unusual use of facility risk factors in local results of differences in noise, with no statistical control over facility risk factors, appears to involve other stress and measurement. For example, noise levels might have disproportionate numbers of urban developers between cities; other cities may have higher-than-average average noise levels in more severe crashes. The greater the reproducibility of crash, as opposed to severity of injury, the more reproducibility may, against the possibility of confounding by facility risk factors. The results followed by this study, therefore, was the extent to which facility risk factors influenced the magnitude of noise due to exposure data in single-vehicle collisions. This is one problem that can be solved by PARS for the United States as a whole. This finding suggested that what high- and single-vehicle collisions are factors for—e.g., high proportions of light-duty vehicles, urban areas, and high-speed capacitance—probably overemphasizes differences that might have arisen otherwise during the crashes. Thus, it appears that inferential models developed with data from other states will closely replicate those reported here.

The procedures for adjusting raw counts of facilities warns of detailed discussions. The adjustment involved two steps. The preferred probability of death was first adjusted to a known risk reference state. The initially adjusted probability was then modeled in relation to actual number of deaths observed. This measure of reducing the adjusted probability of death involved the following considerations:

1. The fundamental difference between predicting facility gives a single-vehicle collision of any severity and predicting a facility is that a collision is the final single-vehicle collision, selected by a system that uses a criteria for inclusion (e.g., PARS).
2. The number and nature of factors that can influence the probability of death, given a single-vehicle collision; and
3. The extent to which police-reported data, as compared in many earlier studies, show that factors that can influence the probability of facility.

PARS achieves an account of facility single-vehicle collisions. For each case, the center with absolute certainty that several in more single-vehicle collisions have not been overlooked in the death of at least one occupant. PARS, however, does not provide data sufficiency to describe how and why occupant death. Although PARS contains information on some of the injury-risk factors that may be involved in cases, one will find no data whatever on many other injury-risk factors that could have been involved.

Noise reduction in death or life injury is a very complex event—especially for the movement of, and mechanisms of injury to, both halted and unhalted occupants. Even careful measurement of noise exposure can have many specific operations about causes of fatal injuries. Unannounced. For example, a person assumed as an injury, even the person's original running, running, or police report, may be unannounced. Police do capture and report data on many key factors that prove to be strongly associated with fatal injury to occupants of light-duty vehicles—gives a single-vehicle collision of any severity. As determined in this study, consistent models with good predictability can be developed with police-reported data. Instead, statistical methods that do well in estimating probabilities of death give a single-vehicle collision of any severity will inevitably underrepresent the probability of death among occupants in single-vehicle collisions. Many other injury-risk factors can also affect the likelihood of a facility.

The results of this study would vary among specific groups of vehicles. If risk of occupant injury is mainly from the influence of exogenous variables included in material models, the impact of one model may be less than average. If, however, risk of occupant injury is mainly from the influence of exogenous variables not included in the material—on the effect of factors for which no data are available for analysis—then the application of underrepresentation may be greater than average.

In summary, the intent of measuring facility-adjusted probabilities of death based on actual counts of facilities was to enrich the effort of injury-risk factors included in exogenous variables for material models. To ignore likely contributions of such factors can introduce substantial bias in comparisons among models. Therefore, the two steps of adjusting raw counts of facilities was a two-step process: to take into account effects of exogenous variables included in material models, and to minimize bias when calculating casualty. Reports obtained by using statistical methods to occupy of light-duty vehicles in final single-vehicle collisions indicated that selected facility-risk factors greatly influenced total counts and, by extension, observed use of occupant death. Of interest, the magnitude of downward adjustment of rates was comparable for all groups of vehicles, with adjusted rates ranging from about 1.0 to 1.2 percent of crash data. Adjusting raw counts of non-fatal deaths also reduced statistical differences among vehicle groups. The smaller the group of vehicles defined, the less likely adjusted rates would yield...
REFERENCES


TO: MR. ART STUART - BFEO
    MR. JOHN BEHR - BFEO

CC: MR. DAVE THOMAS - LEGAL DPT
    MR. H. HORTON - LEGAL DPT.
    MR. G. FERESTAD - BFVZ
    MS. A. C. COLMENAREZ - BFVZ LEGAL
    MR. O. BENITEZ - BAKER & MCKENZIE

FROM: JORGE A. GONZALEZ

SUBJECT: FORD PROPOSAL

AS AGREED DURING THE MEETING HELD ON FRIDAY MAY 1st, YESTERDAY AFTERNOON THE FOLLOWING PEOPLE TOOK PART IN A MEETING AT FORD:

MS. ANA CECILIA COLMENAREZ - BFVZ LEGAL COUNSEL
MR. OMAR BENITEZ - BAKER AND MCKENZIE PARTNER
MR. OSCAR RODRIGUEZ - BFVZ SALES DIRECTOR
MR. PEDRO MARTINEZ - BFVZ OE SALES MANAGER.

WHEN WE VISITED FORD TO PRESENT THE LETTER STATING OUR PROPOSAL, FORD VENEZUELAN PRESIDENT MR. E. CASSINGENA AGREED TO HAVE A MEETING IMMEDIATELY TO DEFINE AMONG THE LEGAL COUNSELORS OF THE TWO COMPANIES THE APPROACH TO TAKE IN ATTENDING CUSTOMERS TO AVOID CONFLICTING STATEMENTS AND MISUNDERSTANDINGS AND DEFINE OTHER ISSUES COVERED IN THE LETTER.

UPON THEIR ARRIVAL AT FORD, I AM TOLD THAT OUR PEOPLE FOUND A VERY AGGRESSIVE ATTITUDE ON THE PART OF FORD PERSONNEL IN PARTICULAR THE PRESIDENT OF FORD VENEZUELA WHO INSISTED THAT BFVZ HANDLE THE REPLACEMENT OF TIRES THROUGH ITS DEALER NETWORK AND OFFER THE PEOPLE THAT HAVE EXPERIENCED PROBLEMS WITH THE VEHICLE THE REQUIRED EXPLANATION.

FORTUNATELY OUR LAWYERS WERE PRESENT AND HAD BEEN BRIEFED ON THE SITUATION AND ADVISED FORD REPRESENTATIVES THAT THE PURPOSE OF THE

TOTAL PAGES SENT: 03
MEETING WAS TO DEFINE THE STATEMENT TO BE ISSUED TO CUSTOMERS AND IT APPEARED THAT INSTEAD THEY WERE READY TO STATE THAT THE TIRE WAS THE ONLY CAUSE OF THE PROBLEMS FACED WITH EXPLORERS AND WASH THEIR HANDS. OUR LAWYERS TOOK THIS OPPORTUNITY TO REMIND THEM THAT THE SAME TIRE IN THE SAME DESIGN "WILDERNESS", IS FITTED ON GRAND BLAZERS AND TOYOTA AUTOMA WHICH DO NOT ROLL OVER EVEN IN CASES OF TIRE FAILURE AND THAT IN THE CASE OF 15" TIRES ALL CHEVROLET BLAZERS ARE EQUIPPED WITH FIRESTONE TIRES AND THEY DO NOT ROLL OVER EITHER. AT THE END OF THE MEETING THEY ADVISED ALL PARTICIPANTS THAT THEY WOULD HAVE TO CONSULT WITH ME AND ULTIMATELY WITH OUR HEAD OFFICE. I HAVE ASKED OUR LAWYERS TO PREPARE A FULL REPORT OF THE MEETING AND FORWARD IT TO YOU AND H. HORTON IN CASE OF ANY FUTURE QUESTIONS.

IN A NUTSHELL, IT APPEARS THAT NOW FORD VENEZUELA WANTS TO TURN THE TABLES AND INSTEAD OF THIS BEING A PROPOSAL TO HELP RESOLVE A PROBLEM THEY WANT TO BLAME BRIDGESTONE/FIRESTONE FOR THEIR PROBLEMS. BASED ON THE ITEMS DISCUSSED AT THE MEETING AND A CONVERSATION OF OUR SALES DIRECTOR, OSCAR RODRIGUEZ WITH FORD PURCHASING DIRECTOR MR. HECTOR RODRIGUEZ, FORD'S POSITION CAN BE DEFINED AS FOLLOWS:

- FVV WILL NOT INSTALL THE NEW TIRE ON THE NEW VEHICLES COMING OFF THE ASSEMBLY LINE.
- FVV WANTS THE TIRES AT NO CHARGE.
- FVV DOES NOT ACCEPT ANY CONDITIONS.
- THEY EXPECT BPVZ TO REPLACE THE TIRES, NO QUESTIONS ASKED. SIMILAR TO A "SILENT RECALL".
- OUR CONDITION OF CORRECTING THE SUSPENSION PRIOR TO INSTALLING THE NEW BRIDGESTONE TIRES IS NOT ACCEPTABLE TO THEM EVEN THOUGH FVV CONTINUES WITH THE SO CALLED ENHANCEMENT PROGRAM IN EFFECT THROUGHOUT VENEZUELA USING GOODYEAR TIRES, BUT IT APPEARS THAT THEY DO NOT WANT TO APPLY IT TO THE BRIDGESTONE TIRES. IT IS NOT CLEAR WHAT DO THEY INTEND TO DO.

ONCE YOU HAVE SEEN THE REPORT FROM OUR LAWYERS, IT WOULD BE ADVISABLE TO LET FORD DEARBORN KNOW OF THE POSITION ADOPTED BY FVV. ALL ITEMS CONSIDERED, MY RECOMMENDATION IS THAT WE GO BACK TO JUDY SULLIVAN AND ADVISE THAT WE HAVE MADE THE OFFER BUT THEY DID NOT ACCEPT IT.

FROM OUR PERSPECTIVE, IF THEY DO NOT ACCEPT TO MODIFY THE SUSPENSION PRIOR TO INSTALLING THE NEW BRIDGESTONE TIRES, I DO NOT RECOMMEND TO GO AHEAD SINCE WE KNOW FOR A FACT THAT THE VEHICLE MAY ROLL OVER.

TOTAL PAGES SENT: 03
I SINCERELY QUESTION THEIR INTENTIONS PARTICULARLY CONSIDERING THAT THEY ARE GOING AHEAD WITH THE ENHANCEMENT PACKAGE INSTALLING AND CHARGING FOR GOODYEAR TIRES WHILE THEY ARE NOT WILLING TO DO IT WITH OUR PRODUCT AND IN ADDITION KNOWING THAT IN VENEZUELA THERE ARE MANY UNCONTROLLABLE FACTORS SUCH AS IGNORED SPEED LIMITS, EXTREME HEAT, POOR TIRE CARE, BAD TIRE REPAIRS, POOR ROADS AND A RECOMMENDED AIR PRESSURE ON THE EXPLORERS OF 28 PSI.

PLEASE ADVISE YOUR THOUGHTS AND RECOMMENDATION. CONSIDERING THAT FORD HAS BEEN MODIFYING THE SUSPENSION, OUR INTENTION WAS TO GO ALONG WITH YOUR PROPOSAL TO APPEASE AND HELP FORD DUE TO OUR LONG BUSINESS RELATIONSHIP BUT IT APPEARS THAT THEY WANT BRIDGESTONE FIRESTONE TO SOLVE THEIR PROBLEMS.

PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

BEST REGARDS,

JORGE A. GONZALEZ
The Real Root Cause of the Ford-Firestone Tragedy:

Why the Public Is Still at Risk

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Public Citizen and Safetyforum.com
with C. Tab Turner
The Real Root Cause of the Ford/Firestone Tragedy: Why the Public Is Still at Risk

April 25, 2001

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The Real Root Cause of the Ford/Firestone Tragedy:
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SUMMARY

This report examines why Firestone tires on Ford Explorers are experiencing abnormally high rates of tread separations, and why these separations cause catastrophic rollover crashes that marred and killed drivers and passengers.

Based on an analysis of all of the available evidence, the tires fail because they are poorly designed. These design problems are exacerbated in some instances by poor quality control in the tire manufacturing process. Importantly, design and production deficiencies appear in Firestone’s Wilderness AT tires regardless of the tire’s size or plant of manufacture. In contrast to the repeated claims of Ford and Firestone, according to Firestone’s own expert, Dr. Sandy Covindiede, the non-Decatur-made Wilderness AT tires may actually be more prone to tread separations than those manufactured in Firestone’s Decatur, Illinois plant. The devastating rollover crashes occur because the poor design of the Ford Explorer makes it difficult for motorists to maintain control of their vehicle if a tire’s tread belts separate from the tire.

Although both Ford and Firestone are to blame for the multitude of deaths associated with the initial combination of this tire and vehicle, the real problem begins and ends with Ford Motor Company. Many of the key decisions were made by Ford. Ford created the original and continuing performance specifications for Firestone’s tires. Ford chose to let air out of the tires to economically fix a serious problem that caused the Explorer’s wheels to lift off the ground in turns. Ford’s request triggered an effort to take weight out of the tire after their reduction in the tire’s inflation pressure harmed the Explorer’s fuel economy, and Ford ignored every opportunity to fix the rollover and stability problems that plague their Explorer vehicle, despite many loud and continuous signals that such changes were needed to protect vehicle occupants.

Although Firestone’s role in the debacle cannot be downplayed, the “root” of the problem lies with Ford Motor Company.

I. RECOMMENDATIONS/OBJECTIVES

A. Really “Making it Right”: Recalling All of the Defective Tires Is the Only Way

On August 9, 2000, Ford and Firestone announced the recall of 6.5 million tires. Their recall included all 15-inch ATX II tires and those 15-inch Wilderness AT tires manufactured by Bridgestone-Firestone at a Firestone plant in Decatur, Illinois (the “Decatur Plant”). The tires had been sold as original equipment on Ford’s Explorer sports utility vehicle and manufactured according to specifications from Ford. At that time, the companies jointly had decided that Decatur was the
appropriate focus for a recall of Wilderness AT tires, thus excluding millions of identical tires made in Firestone’s Wilson, North Carolina and Joliette, Quebec, Canada plants. This decision regarding the scope of the recall was later ostensibly justified by both Ford’s and Firestone’s “root cause” reports, issued in December, 2000, and January, 2001.

This report constitutes the consumer reply to the official Ford Firestone story. Its findings should cause grave concern about the limited scope of the tire recall conducted thus far, and about potential flaws in the millions of Firestone Wilderness AT replacement tires that have, since August, been re-treaded on Ford Explorers. As this report documents in great detail, the initial recall should have included all 15-inch and 16-inch Wilderness AT tires used on Ford Explorers, regardless of the plant of manufacture.

This report reveals that Ford and Firestone’s own data and the defect investigation database developed by the National Highway Traffic Safety Administration (NHTSA) show that the recalled Wilderness AT tires made in Decatur are no worse, and may in fact be better, than non-recalled Wilderness AT tires that were manufactured at Firestone’s other plants.

Firestone’s latest public relations campaign promises to “make it right” on consumer safety issues by upgrading manufacturing and quality control measures, “as long as it takes to gain the public’s trust.” But only definitive action to address the continuing safety hazards posed by Ford and Firestone’s limited tire recall should be the true measure of the companies’ commitment to public safety.

Despite its recent promises to “make it right,” Firestone has it wrong on the issue of tire size. When the documentation assembled for this report is combined with evidence in NHTSA’s defect investigation file, it is clear that the tread separations afflicting Firestone’s Wilderness AT tires are not limited to 15-inch tires. Sixteen-inch Wilderness AT tires are also highly prone to tread separation. Ford and Firestone should immediately recall all of the 15-inch and 16-inch Wilderness AT tires that have thus far not been recalled. This action to protect the lives of customers, rather than an empty advertising slogan, is what is needed for Firestone to gain the trust of the American people.

Firestone has also thus far made it wrong by replacing faulty tires with tires that are just as prone to fail. As this report demonstrates, the few distinctions between the 15-inch Wilderness AT tires manufactured in Decatur and those manufactured elsewhere fail to explain the wide-spread failure of tires from all three Firestone plants, and fail to address the “root cause” of these tire failures. Firestone’s own expert consultants revealed, on page 50 of its “root cause” report, that according to a study conducted jointly by Ford and Firestone, the non-recalled tires are actually more prone to developing belt edge separations or cracks than are those made in Decatur.

While the companies’ reports have blamed a wide variety of generally shared causes, such as vehicle loading and instability of the Explorer, they have nonetheless both sought to justify the scope of the original recall by reference to a single difference in the manufacturing process for those tires made at the Decatur plant. But in light of all the evidence, this attempt to make the “ant’s back bear the elephant” is deeply dangerous for consumers and misguided policy for Ford and Firestone.
In short, Ford and Firestone have replaced bad tires with new, but equally dangerous, ones. During 2001, some of the non-recalled and replacement tires will accumulate sufficient mileage, wear and heat exposure that a tread separation — with its frequently catastrophic consequences — may be expected. NHTSA, Ford and Firestone must act now to anticipate and prevent these failures and to provide a truly adequate recall and replacement remedy.

Our analysis of the Ford/Firestone lawsuits involving death and serious injury reveals the real urgency to complete a comprehensive recall before the heat of summer again takes its toll on tires, and, in turn, on the vehicles' occupants. While the companies' "root cause" reports acknowledged the role of heat in tire deterioration and ultimate failure, the company investigators did not attempt to establish the importance of heat build-up and heat-related wear in causing real-world tire failures.

This omission was short-sighted, and threatens to create another summer as disastrous as last year's proved to be. Almost half — 47 percent — of crashes in Safetyforum.com's Ford/Firestone litigation database occurred during the hot summer months of June, July and August. That result is consistent with NHTSA's related defect investigation database, in which it was recorded that 49 percent of crashes occurred during the same summer months. (See charts below.)

<table>
<thead>
<tr>
<th>Firestone Tire Failures By Season</th>
<th>Firestone Tire Failures By Season</th>
</tr>
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<tbody>
<tr>
<td>Safetyforum.com Litigation Database</td>
<td>NHTSA Defect Investigation Database</td>
</tr>
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</table>

Ford and Firestone should complete a further recall of all the defective tires before the summer heat increases the danger these tires pose to the driving public.
B. Stepping Up: Ford Should Notify Owners of the Explorer’s Serious Operating Limitations

The two-door Ford Explorer for model years 1995-97 has the worst rollover death rate of all of the SUVs and pickup trucks listed in a recent report by the Insurance Institute for Highway Safety, at 150 deaths from rollover per million registered vehicles.\(^7\) The 2-door Explorer also maintains the dubious distinction of having the worst death rate overall in those vehicle categories, at 231 deaths per million registered vehicles. While the 4-door Explorer is relatively better, at 103 deaths per million registered vehicles, its performance is still a far cry from the study’s low-end averages for passenger cars of 20 or 25 deaths per million.\(^8\)

As this report shows, many of the risks to consumers posed by Firestone tread separations are the result of deliberate design decisions by Ford Motor Company. Ford’s customers should therefore be fully informed of the dangerous limitations in the Explorer’s performance, especially in the face of years of Ford advertising aimed at portraying the Explorer as a safe and stable passenger-carrying vehicle, with the goal of encouraging families to trade station wagons for the Explorer.

Ford should be honest with its customers and tell them of the dangers associated with operation of the Explorer at highway speeds, about necessary precautions and any potential safety hazards inherent in use of the vehicle as a passenger car. At a minimum, this owner notification and public information campaign should include:

1. Information and specifications for cargo weight limits, to avoid overloading the vehicles’ tires, despite the vehicle’s considerable interior space to carry larger burdens;

2. The trade-off in performance, i.e., a reduced risk of tread separation, but a greater risk of rollover during emergency maneuvers, between Ford’s original recommendation that tires be inflated at 26 pounds-per-square-inch (psi) and the company’s subsequent recommended tire inflation of 30 psi;

3. Customers’ well-demonstrated difficulty in controlling the Explorer following a tread separation;

4. The risks posed by the vehicle’s weak roof, which frequently crushes in rollover crashes, endangering occupants’ heads and necks and creating a greater risk of partial or full ejection, regardless of the fact that the roof may satisfy the existing, minimal, 30-year-old federal roof crush standard; and

5. The company’s failure to design the Explorer with a pretensioning safety restraint system (seat belt) that provides protection in a rollover-type crash.

C. Looking Ahead: Future Action For The Nation’s Highway Safety Agency

For the future, federal safety standards should be issued to upgrade at least the following five key elements of vehicle safety, in areas of federal regulatory oversight that were shown by the
Ford/Firestone tragedy to be utterly inadequate to protect the public. NHTSA should:

1. **Provide A Meaningful Tire Safety Standard:** The agency's antiquated tire safety standard is now more than 30 years old, and was not written for radial passenger tires. A new tire safety standard is required by the recent Transportation, Recall Enhancement and Documentation (TREAD) Act to be issued in final form by June 30, 2002. NHTSA is currently preparing a proposal for public comment.

2. **Prevent Roof Crush:** The federal roof crush standard, which is now more than 20 years old, is a static test merely designed to determine whether the roof can withstand a static load of one and one-half times the weight of the vehicle. There is no dynamic test – or real-world test of the vehicle in motion – which is essential for real-world protection of consumers. There is currently no movement at NHTSA to address this issue. The agency should act quickly and comprehensively to develop a new dynamic standard.

3. **Issue a Dynamic Rollover Standard:** There is no federal dynamic rollover prevention standard, but there should be. Although a member of Congress petitioned the agency sixteen years ago to issue one, and in 1991 the Congress instructed NHTSA to conduct a rulemaking, the agency's efforts were diverted in 1994 to drafting a mere consumer information rule in lieu of the standard. Notably, the agency's work on a minimum safety standard was abandoned in large part due to an argument by the automobile manufacturers that even a minimum standard would prove impossible for SUV-type vehicles to meet. Finally, in late 2000, NHTSA issued its long-awaited consumer information static measurement ratings, available to consumers only over the Internet. But more on rollover is coming, due to instructions from Congress in the TREAD Act that NHTSA should develop a dynamic consumer information test. Good information could still be limited in the Internet, however; the auto manufacturers and dealers blocked a proposed TREAD Act rule that consumers would be informed of test results by vehicle window stickers on all new cars.

4. **Provide Protection from Ejection In A Crash:** There is no federal window glazing or other occupant protection requirement to help ensure that occupants are not fully or partially ejected through side or rear windows when the vehicle rolls over. Nor are there restraint standards to adequately ensure that occupants are protected from the dynamics unique to rollover crashes, i.e., seat belt buckles that remain fastened, seat belts that pull occupants snug against their seats, or air bags that protect occupants during roof contact. These standards are sorely needed: the severity and frequency of rollover crashes causes one-third of all occupant fatalities.

5. **Raise An Early Warning on Defects:** During the Congressional hearings, directed in part to an evaluation of why NHTSA was unaware of the ongoing Firestone/Ford Explorer tragedy, it became obvious that the agency has no standing information-gathering program on potential safety defects. New authority for requiring manufacturer submission of early warning information was provided in the TREAD Act. In January 2001, NHTSA issued an advance notice of proposed rulemaking laying out a preliminary plan for gathering regular information on deaths, injuries, crashes, lawsuits, consumer complaints, etc., by make and model and potential defect. This rule needs to be issued promptly and must require that summary information be submitted
D. A Call To Action For All Auto Manufacturers

The American public has for years wrongly believed that SUVs are safer than other passenger vehicles. In point of fact, as many have now learned, this is simply untrue. While the sheer mass of SUVs does make them a more aggressive vehicle in multi-car crashes, their poor record in single-vehicle and rollover crashes more than compensates for this somewhat suspect relative advantage. It turns out SUVs are very dangerous for their occupants overall. In addition, as William Clay Ford, chief executive officer of Ford Motor Company, has acknowledged, SUVs cause unnecessary harm to the occupants of other vehicles on the highway.

Rather than ramping up vehicle size for a new round of mega-vehicle competition, as we have seen for the next model year, SUVs need to be made far safer and more socially responsible. Manufacturers should reduce the size of SUVs to improve fuel efficiency and reduce harm to others, design them to be lower and wider in order to prevent rollover crashes and make any additional design changes that are required to reduce the likelihood that higher-framed SUVs will overide the lower frames of smaller vehicles and crush their occupants.

Any less comprehensive approach will merely auger future adjustments, after another far-too- costly learning experience is triggered by the suffering and outrage of the American public. After Ford Firestone, the public won’t easily be fooled again.

II. DEFINING THE PROBLEM: EVIDENCE OF MULTIPLE FORD/FIRESTONE DESIGN AND PRODUCTION FLAWS

This report examines why Firestone tires on Ford Explorers experience abnormally high rates of tread separations and why those separations cause rollover crashes that maim and kill.

Although both Ford and Firestone have published multiple "root cause" reports, all of which make valid technical points about the bad tires, neither company has satisfactorily explained to the consuming public why these tires are failing. Whether consumers are at risk in continuing to operate on non-Denmar-made Wilderness AT tires, or why the Explorer is so difficult to control given a tread separation event at highway speeds.

The purpose of this report is to pull together all available evidence and provide consumers with answers to the questions that Ford and Firestone have continued to dodge throughout this lengthy ordeal. The following is a summary of the more significant points on causation:

- The design of the tire, particularly at the belt edges in and around the area of the wedge, is insufficiently robust for the loads applied by the Explorer at the inflation pressures recommended by Ford. Although both Ford and Firestone have made reference to Firestone's redesign of the wedge in 1998 due to tread belt separations, neither company has fully addressed the fact that the wedge gauge (thickness) is unusually small or that the placement of the wedge (length) has a direct impact on durability of the tire at the belt edges.
• Reducing the tire's weight in the mid-1990's resulted in insufficient coverage over the belt edges between the tire's tread blocks ("pockets") and eliminated any margin for error. The material removed from the tires to reduce weight restricted the engineers' ability to specify a durable belt edge design with a smooth transition from the rigid belt edges to the flexible upper sidewall. While the tire may have performed marginally when produced precisely to specification and operated lightly loaded and at maximum inflation pressure, the high incidence of failure indicates that the design was unacceptable when the tire was exposed to the Explorer loads and normal variations encountered during volume production. Firestone has acknowledged the weight reduction that occurred, but Ford continues to sweep the issue under the rug because the weight reduction in the tire was directly related to the fact that the Explorer was so poorly designed that its wheels would not stay on the ground during foreseeable turning maneuvers.

• The tire design is both unreasonably sensitive to variations in the production process and unreasonably sensitive to operating conditions, affording no margin of safety.

• The "pocket" shoulder design contributes to the generation of excessive internal heat at the belt edges.

• Radiographic analysis reveals "waviness" at the belt edges on both the 15- and 16-inch tires. This indicates that there is significant movement of the tread rubber to fill the shoulder blocks of the tread pattern during curing, causing increased stresses on the belt edges. The significant material flow during curing makes it more difficult to control the thickness of the tread rubber over the belt edges in the areas between the tread blocks. The waviness results in the creation of localized high stress areas, which result in crack formations at the belt edges. Neither Ford nor Firestone has addressed this "waviness" as a potential trigger for the development of the crack.

• Radiographic evidence demonstrates that the wire alignment within the belts is not uniform. It also reveals bad splices and excessive belt placement variation. The frequency with which these conditions appear indicates that they have a direct relationship with the tire's design.

• The wire cord chosen for use in the tires (1x5) is old technology chosen to reduce cost. It exacerbates the problems created by the shoulder design because it allows oxygen to interact with the rubber, resulting in degradation of the skin compound. The cord's characteristics increase the tendency of the belt edge cracks to spread inward between the steel belts. Neither Ford nor Firestone have addressed the role of the 1x5 wire cord characteristics as a contributing factor which enables the spreading of cracks, despite the history of this problem as revealed by the 1978 Firestone 500 recall.

• The tire's "skim compound" has inadequate rubber-to-wire adhesion for the particular design characteristics of the tire and steel wire. As the rubber loses adhesion from the steel belt
The cracks propagate between the belts, resulting in separation.

- Inherent design problems in the Explorer created a danger that the Explorer would roll over in foreseeable turning maneuvers. Instead of modifying the design of the Explorer to fix the instability, Ford unilaterally chose to recommend that the tires be operated at 26 pounds per square inch (psi), significantly below the maximum allowed inflation pressure. Ford’s recommendation was an attempt to cosmetically make the Explorer perform better in quick-turn, emergency-avoidance maneuvers, but the lower tire pressure increased the rolling resistance of the tires, thereby raising their operating temperature and decreasing belt-adhesion.

- The decreased inflation and increased rolling resistance also lowered the Explorer’s fuel efficiency. To correct the fuel economy problem, Ford changed the tire design to make the tire lighter in weight, less durable, and more prone to the stresses created by use on an Explorer at Ford’s recommended inflation pressure.

The combination of the foregoing factors cause unusually high stresses and heat at the belt edge area of the tires. This directly results in small cracks that spread inward, ending in complete tread belt separations, especially when the tires are used in hot climates in a loaded condition and at high speeds.

III. HISTORY AND CONTEXT

A. The Recall

On August 9, 2000, Ford Motor Company and Bridgestone/Firestone, Inc., jointly announced the recall of approximately 6.5 million ATX, ATX II and Wilderness AT tires. The recall included the P235/75R15 (15-inch) ATX and ATX II tires, but only those Wilderness AT tires manufactured at Firestone’s Decatur, Illinois, plant. The majority of the recalled tires were offered as standard equipment on Ford Explorers. The latest count by NHTSA shows that failures associated with these tires resulted in 184 deaths and more than 700 injuries.

The number of fatalities resulting from the combination of the ATX/Wilderness AT tires and the Ford Explorer is extraordinarily high.

<table>
<thead>
<tr>
<th>Number of Non- Deplicative Fatalities</th>
<th>ODI Consumer Complaint Database</th>
<th>Firestone Reports</th>
<th>Ford Reports</th>
<th>State Farm Reports</th>
<th>NHTSA/Forum.com</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reported by Source</td>
<td>126</td>
<td>10</td>
<td>5</td>
<td>3</td>
<td>19</td>
<td>2</td>
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</table>
In order to put these statistics in perspective, the 1978 Firestone 500 automobile tire recall was initiated following the reporting of 34 fatalities, which prompted the House Subcommittee on Oversight at that time to make the following observation:

The Subcommittee is aware of only one other vehicle safety defect which has amassed a number of associated fatalities exceeding 34. This defect is that of the gas tank in certain Ford Pintos which the Ford Motor Co. recently agreed to recall following negotiations with the NHTSA.1

A majority of the recent Ford/Firestone tire failures that caused injury or death were crashes that occurred in the south and southwest regions of the United States. Virtually all of these cases involved Ford Explorers. The following chart illustrates the distribution of fatalities and injuries associated with the combination of Firestone tire failures on Ford Explorers, as collected by NHTSA.

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B. NHTSA Investigation

The Motor Vehicle Safety Act, 49 U.S.C. § 30118(b) empowers the NHTSA Administrator, as the Secretary of Transportation’s delegate, to require a manufacturer of a motor vehicle or equipment “contains a defect related to motor vehicle safety” to furnish notification of the defect to owners, purchasers and dealers and to remedy it without charge. Section 30102(1) of the Act defines “motor vehicle safety” as the protection “against [the] unreasonable risk of accidents occurring as a result of the design, construction or performance of motor vehicles and against unreasonable risk of death or injury in an accident and includes non-operational safety of a motor vehicle.”
The Safety Act, 49 U.S.C. § 30102(a)(2), further defines “defect” as including “any defect in performance, construction, a component, or material of a motor vehicles or motor vehicle equipment.” A showing of a safety-related performance problem, or a large number of failures in use, is sufficient to establish the need for a recall under the law, regardless of whether a particular “abnormality” is identified as the root cause. Stated simply, knowing the “root cause” is not essential to a finding of a defect, if a clear pattern of safety-related failures that can cause death or injury is present in an identifiable group of tires.

Automobile safety recalls have been ordered by NHTSA (and sustained in court challenges to the recalls) when only a “risk” of accident or injury exists. Recalls are also sometimes deemed “imperative” when the fatalities caused by the defect are well-documented. The agency initiated its Ford-Firestone investigation in May 2000. Subsequent to the August 9, 2000 agreement to recall 6.5 million tires, the agency has also issued two consumer advisories on Firestone tires made for the Ford Explorer and a consumer advisory on Firehawk and other tires that it has since also urged Firestone to recall. NHTSA is continuing an investigation to determine whether additional Wilderness AT tires (i.e., those not manufactured in Decatur) should be recalled.

A decision could be announced at any time. NHTSA originally had indicated that the Ford-Firestone investigation would be complete by March 2001.

C. Firestone Interim Report And Root Cause Analysis

On December 19, 2000, in a report, Firestone acknowledged design flaws in its 6.5 million recalled tires and blamed both itself and Ford for the consequences of the tire failures. The report concluded that the scope of the recall of the company’s tires was sufficient to protect consumers. Firestone cited four major causes of the tire failures and crashes of the Explorers:

- Design problems in the Explorer triggered Ford’s recommendation that the tires be inflated to 26 psi, significantly lower than the maximum level of inflation allowed. According to Firestone, the lower inflation level “increased the running temperature of tires and contributed to a decreased belt-adhesion level.”

- Problems in the tire manufacturing process included the composition of the rubber used and the adhesion characteristics of tires made in Firestone’s Decatur plant. According to Firestone, the recalled tires from Decatur “exhibited different belt-adhesion characteristics, including lower initial adhesion, than those same size and line of tires produced at other plants.”

- A problem in the design of the shoulder of the tire, according to Firestone, “could lead to cracking...in the wedge area of the tire [and] result in a reduction of resistance against belt detachment or tread separation.”
• Customers were misusing the tires. Firestone reiterated its recurrent contention that "many tread separations can be caused by various forms of tire damage encountered in daily use, such as punctures, improper repairs, [and] severe impacts." Despite overwhelming evidence of a safety-related problem that cause in catastrophic injuries and death, Firestone persists in its claims that its tires have an "adjustment rate" that is within the norm, and that the tires are "safe" and "not defective."

This position is reminiscent of the company policy on the dangers of its Firestone 500 tires in the late 1970s. The House of Representatives summarized Firestone's corporate attitude in August 1978 as follows:

In this case, however, an entrenched and recalcitrant manufacturer [Firestone] has refused to take remedial action and moreover has sought to prevent the responsible Federal agency from doing so. The 1978 Committee further noted that Firestone seemed "committed, as a matter of apparently irreversible corporate policy, to stonewalling on the issue of a safety recall of the affected tires," and that Firestone steadfastly refused to acknowledge any safety problem that was responsible for the fatalities and injury-producing failures.

History is now repeating itself, as Firestone stonewalls and refuses to recognize the significant risk created by its choices to continue to place money before safety.

D. Firestone Consultant's "Root Cause" Report

Firestone retained Dr. Sanjay Govindjee, a professor from the University of California at Berkeley, to conduct an "independent analysis" of the Firestone tires used on the Ford Explorer. On January 30, 2001, Dr. Govindjee issued a formal "root cause" report. Although not an expert in tire design, Dr. Govindjee specializes in materials. In brief, he concluded:

• The problem is "understood to include" the propagation of a fatigue crack in the bulk of the rubber separating the two steel belts of the tire, not at the interface between the steel and the rubber.

• The cracks occur in both new and used tires.

• Contrary to Firestone's limited recall of Wilderness AT tires, the cracks or belt edge separations were found in a greater percentage of tires produced at the Joliette and Wilson Firestone plants than the Decatur plant.

• The problem is "rather complex," and determining a "single cause" is an "unrealistic expectation."

• There are no "well-established criteria for in-service tire failures against which tire components are designed."
The industry is not clear how its tire testing relates, if at all, to in-service – that is, real-world – tire failures.

The materials from tires in southern climates have "reduced ductility," and "higher stiffness," independent of service condition.

Aging contributes to degradation of internal components of the Firestone steel belted radial tires.

The capacity of the belt skin compound to resist fracture is "markedly reduced" for tires manufactured at the Firestone Decatur, Illinois plant, although their properties are within the approved specifications for the tires. Although Firestone identified a manufacturing process called "pellitizing" as unique to Decatur and therefore supporting the limited recall. Dr. Govindjee's search into the process found no causative agent for the degraded material properties from the Decatur plant related to this process.

The belt edges of the subject tires have a "pronounced" heat build-up as inflation pressure is lowered with a heavy cargo load and operated at high speeds. 64

The impact of tire design on tire temperature "has not yet been established."

E. Ford Interim Report and Root Cause Analysis

In its official "root cause" report of December 19, 2000, Ford also blamed the failures of the tires on a combination of design problems and manufacturing difficulties encountered at Firestone's Decatur plant. Ford, however, disputed Firestone's claim that design flaws in the Ford Explorer played a role in the crashes.

Ford reported that its "engineers and scientists" were involved in an "ongoing statistical analysis" and that the company's "test data" appeared to agree with many of Firestone's preliminary conclusions. Ford's report included the following findings:

- Testing on Ford and other makes of vehicles and on tire test rigs showed that the P235/75R15 A/TX and Wilderness AT tires do become hotter during use than similar competitive designs, although Ford did not know why.

- Test data showed that belt-area rubber cohesion is lower in Decatur-built tires. The data, however, did not identify what aspect of manufacturing may cause this.

- Ford did not test or analyze tires which had a puncture repaired, but reasoned that a tire already sensitive to heat because of design and manufacturing conditions could be progressively damaged if it was further heated because of lower inflation pressures before or after such a repair.

Although not mentioned by Ford in its root cause analysis, internal Ford records document that failed tires from Venezuela showed "no apparent reason for failure." from external damage such
as punctures, cuts, etc., and that there was no evidence of "reversion," defined as the overheating of rubber that is typically present when a tire is operated in an under-inflated condition. 25

As for tires operated in the U.S., Ford noted that under-inflation was not a reasonable explanation for the significant number of failures because U.S. consumers typically "over-inflate tires."
While Ford did not define fully the cause of the tread separation problem, its "preliminary root cause hypothesis" was that:

The design of the tire generates high stresses and heat in the wedge and belt area. Manufacturing processes at Firestone's Decatur Plant reduce the cohesion level of the rubber in that same area of the tire. This reduced strength permits cracks to propagate between the steel belts. We believe it is a combination of manufacturing factors and the reaction of the tire design to field operating conditions including hot weather and very low tire pressure that have caused the increased failure rate of these tires.

F. The Unanswered Question

Despite the differences of opinion between Ford and Firestone relating to the role of the Explorer in causing tread separations, crashes, and, most importantly, deaths and injuries, and despite the companies' ongoing refusal to define the cause of the problem, both Ford and Firestone have argued continuously that the current recall was "adequate" to protect consumers.

The companies therefore have asserted that the non-recalled tires were safe despite their lack of knowledge of the "root cause" of the problems, and the many holes in existing data.

IV. TIRE HISTORY

A. Relevance of Tire Development History

A tire development process begins with the consideration of factors such as customer or market demand in terms of size, load carrying capacity, intended use, and any special tread design requirements. A typical radial tire has approximately 24 separate components and 12 or more rubber compounds, all of which impact load carrying capacity, proper inflation pressure, and intended use.14

Despite slight differences among companies, the basic manufacturing process is the same. The tire components are assembled and then cured or vulcanized. The purpose of curing the tire — sometimes called "cooking" — is to create both a mechanical and chemical bond between the internal components.

The bonding process, sometimes referred to as "adhesion," is impacted by the stress and forces applied to the tire. The shape of the tread, the internal design of the tire's components, and the material properties of those components dictate what stresses will be applied to each component while the tire is in operation. The forces and stresses exerted on a tire are subject to the combined effect of tire size, inflation pressure, dimensions, component gauges, and vehicle characteristics.

Any examination of the cause of repeated tread separation events requires a thorough investigation of the history of the tire, its design, development, and the market needs that it was designed to satisfy.
B. Development of the Tire For the Ford Explorer

A fuller history of the ATX II tire was provided in a report published by Public Citizen and Safetymatrix.com on January 4, 2001, entitled Spinning Their Wheels.\textsuperscript{19} The following is a brief summary of the tire's design history.

The Firestone P235/75R15 ATX – informally referred to as the ATX II – was created for use on the Explorer.\textsuperscript{20} Earlier versions were produced as a flotation\textsuperscript{21} tire for Recreational Vehicles (RVs) and designed with aggressive tread patterns and zigzag treatment on the tire sides, or "shoulders." As the market for sports utility vehicles (SUVs) shifted to include traditional users of station wagons and other family passenger cars, Ford instructed Firestone to develop a "hybrid tire" which looked like an aggressive truck tire but performed like a passenger car tire.\textsuperscript{22} Company documents show that Ford ordered this modified ATX tire from Firestone for marketing reasons: Ford believed that larger tires would better fit the image of the Explorer and help to increase vehicle sales.

Since the introduction of the ATX II tire, Firestone manufactured approximately 22,800,000 ATX and Wilderness AT 15-inch and 16-inch tires. Some 14,400,000 of the tires have been recalled. Of the remaining 8,400,000 tires sold, 3,500,000 are P235/70R16 Wilderness AT tires and 4,900,000 are non-Decatur-made Wilderness AT tires. Of course, some number of the tires sold are likely no longer in use.

The ATX II tire developed for the Explorer is commonly referred to as a "P Metric" or "passenger" tire. Although the Explorer is a light truck under applicable government regulations, Ford did not request, nor did Firestone provide, a "Light Truck" or "LT" metric tire for use on the vehicle. "Light Truck" tires are typically rated by load range from C-E, which means up to 3000 lbs with inflation pressure ranging from 50-80 psi. For "Light Truck" tires, the Tire and Rim Association (TRA) does not recommend operating "Light Truck" tires at speeds in excess of 65 mph unless the operator: (a) decreases the load on the vehicle: and (b) increases the inflation pressure of the tires.

The Wilderness AT tire was designed to replace the ATX II tire beginning with Ford's 1995 Explorer model.\textsuperscript{23} Tires of both types were manufactured primarily at three Firestone facilities: Decatur, Illinois, Wilson, North Carolina, and Joliette, Quebec, Canada. According to information provided by Firestone, the production of ATX II and Wilderness AT P235/75R15 tires varied by year and plant site.

The Ford Explorer was first produced in 1990 to replace the Bronco II. The Bronco II was known to have a dangerous tendency to flip over during typical emergency turning maneuvers. The Explorer was referred to as the "4-door Bronco II" during development. That name was changed when the Bronco II came under sharp scrutiny as deaths mounted in Bronco rollover crashes.

The stability problems of the Explorer were known early and were well documented. As further reported in Spinning Their Wheels, Ford management knew the Explorer had a stability problem, ignored its engineers' recommendations to fix the problem, and consciously disregarded the
safety of the consuming public because of the potential impact the changes would have on cost and market timing. The alternative Ford chose — deflating the tires — was a cosmetic attempt to improve the vehicle’s stability. Ford’s adaptation further undermined the capacity of the Firestone tires, with disastrous consequences.

The tread separation problems of ATX tires on Explorers began not long after the SUV went on sale in 1990. Both corporations had been settling lawsuits over the defective tires ever since, typically after securing agreements to maintain the confidentiality of company documents. But, according to available records, these lawsuits were fairly sporadic until a tire weight design change was made in the mid-1990s, following the decision by Ford to deflate the tires when introduced. A summary of Ford’s design decisions follows.

Following introduction of the Explorer, Ford initiated design changes in the tires used on the Explorer to correct rolling resistance problems that had been created by the company’s decision to recommend lower tire pressure. One consequence of tire deflation was increased rolling resistance, or friction between the tire and the highway, which produces lower fuel economy. To improve rolling resistance and fuel efficiency, Ford decided to lower the tire’s weight.

According to Firestone, the weight decrease in the tire was achieved by reducing the gauge of various internal components, modifying the sub-tread compound, using a lightweight belt package, and making specific modifications to the tire sidewall. In short, Firestone removed weight from the tire by reducing its rubber and steel components. The tire was made lighter, less durable — and therefore, as defined below, less “robust” — and more susceptible to tread separations.

After that change, tire failures and crashes — including deaths and injuries — escalated rapidly. The following charts graphically illustrate this increase in tire-related deaths associated with Explorers.
The upper graph shows fatal injuries in Ford Explorers from all forms of crashes beginning in 1991, when the Explorer was introduced. The lower graph reflects those Explorer-related fatal injuries in which a tire-related problem was implicated. As the lower graph depicts, fatal crashes involving tire-related factors began to mushroom in 1995-96.

To improve tread wear and fuel economy, and in keeping with Ford's desire for an aggressive tire image, Ford again asked Firestone to redesign the ATX. In 1995, Firestone released for production the Wilderness AT design, a tire specifically designed to accommodate Ford's request for a truck-looking tire that performed like a passenger car tire. The tire was a standard load tire that incorporated internal components that were virtually identical to the ATX tire, but the new tire was equipped with a different, more aggressive-looking, tread pattern.

The design for the Wilderness AT tire did not incorporate internal components of the size and gauge that a tire expert would typically expect to be included in a light truck tire because Ford had specifically requested that the tire deliver passenger car performance. The Wilderness AT tire was assigned a "C" rating for temperature/heat resistance, the lowest possible rating allowed under NHTSA's passenger car Uniform Tire Quality Grading System.

Within 12 months of production of the first Wilderness AT tire for use on Ford Explorers, Firestone's engineers began trying to improve the tire's durability, and to reduce the risk of tread separation, by making certain design changes to the tire.
V. Methodologies And Results of This Consumer Tire Investigation

A. Methods Used

The information in this report is based on: 1) the physical examination and photographing of more than 100 tires obtained from consumers in the U.S. and abroad, including tires that failed and ones that did not; 2) x-rays of a sample of tires produced at each of the three Firestone plants where tires for the Explorer were made (A chart listing the sample tires chosen for x-ray may be found at Appendix 1); 3) examination of indoor and outdoor test results produced by both Ford and Firestone; 4) examination of design documents from both Ford and Firestone; 5) examination of the internal components of the tire sizes in question; 6) independent laboratory tests and 7) actual vehicle testing of a Ford Explorer in a simulated tread separation event.

B. Investigation Results for the P235/75R15 (15-inch) and P255/70R16 (16-inch) Wilderness AT Tires

1. Tire Design

A tire’s belt edge is a structural discontinuity that produces high local stress and can be a starting point for cracks. However, crack formation, and accompanying propagation, is usually not a problem because as the crack progresses inward, the stresses are relieved and the separation is limited.

The fundamental elements of strength between the steel belts are the adhesion strength of the rubber covering the steel cords (“skim stock”) and the design configuration of the material. Belt edge separations occur when the stresses at the belt edges exceed the adhesion strength of the skim compound between the belt edges and between the materials surrounding the belt edges, including the “wedge,” a piece of rubber located between a tire’s two steel belts. The concentration of stresses at the belt edges occurs because the steel belt wires are much more rigid than the rubber or the polyester radial plies.

Design strategy should seek to reduce this concentration of stress as much as possible. The features used to achieve this and improve durability at the belt edges include the geometric design of the internal components, belt edge step-off (the bottom belt is made wider than the top belt), the wedge between the belt edges, the distance from the top of the steel belt that is closest to the tread and inside the shoulder pocket, the configuration of the shoulder pocket, and the tapering of the total thickness of the tire from the belt edges to the upper sidewall area.

The following illustration shows the internal components of the Wilderness AT tire.
2. Description of the Failure Mode

Several investigators have referred to the tire failures in question as "fatigue" failures, which is a general term used to scientifically describe the sudden and catastrophic separation of a device into two or more pieces caused by the application of loads or deformations over time. Fatigue failure typically occurs through the initiation and spreading of a crack. The loads and deformations typically necessary to cause failure by fatigue are less than those necessary for static failure.

To date, investigators from both Ford and Firestone agree that the tires at issue are experiencing steel belt separations (cracks) that begin at the belt edges. The separations most frequently begin at the edge of the #2 belt (the upper belt), which is the highest stress point in the tire.

The cracks found in field tires are not resulting in reversion of the rubber (melting), as one would typically expect to find in the case of excessive heat. The lack of rubber reversion indicates that the tires are suffering from very high shear strain, which is due to heavy loading. The heavy loading strains the rubber beyond its capability and results in the formation of cracks. The existence of high temperatures tends to accelerate the growth of the cracks between the #1 (lower) and #2 (upper) belt. The growth rate of the separation cannot be defined precisely, and appears to vary by tire load condition, inflation pressure and ambient temperature.

From the wedge, the tear tends to grow toward the center of the tire between the steel belts. The crack also tends to grow circumferentially. The final stage is total or partial separation of the #2 belt from the #1 belt and tire carcass.

The following figure shows the crack after it has spread inwardly between the two steel belts. The cross-section shown below was taken from a Wilderness AT tire manufactured in Wilson, North Carolina. When inspected, this tire's internal separation had not yet grown into a total separation.
The next pair of photographs shows a virtually identical condition in an ATX tire manufactured at Firestone’s Wilson plant and a Wilderness AT tire made at Firestone’s Decatur plant. Both of these tires have been recalled. Although the Wilson-made Wilderness XL tire in the photograph above shows the identical pattern of cracking and separation as in the two recalled tires below, the tire in the photograph above has not been recalled. The most striking feature of these three photographs is the identical nature of the crack and propagation spreading inward between the belts. The photographs demonstrate that the same failure mode is present in both recalled and non-recalled tires.

The individual filaments of the cut wire ends at the belt edge have razor-sharp profiles that introduce high stress conditions and cause the rubber to separate. As the rubber along the cord continues to tear, it typically leaves a ring pattern referred to as “socketing.” When the degree of socketing allows sufficient movement of the belt, the torn rubber surfaces begin a polishing action. The extent of “polishing” is one indicator of the amount of movement that has occurred at the belt edges.
3. **The Tire Design Lacks Adequate Durability**

All SUV tires must be designed to carry both the heavy SUV and the occupants and cargo when the vehicle is fully loaded. The tire should be designed to accommodate a wide range of loads and inflation pressures in order to ensure safe operation at freeway speeds. This margin of safety should likewise include a consideration of the plant-to-plant manufacturing variances that are known to occur during mass production.

Ford Motor Company responded on February 5, 2001, to a report by Firestone's independent consultant concerning carrying capacity with the following statement:

Ken Zino, a Ford spokesman, said today that the problem was that the tires were unusually sensitive to the loads on them, and not that the Explorer was too heavy for its tires. "We have studied that, and there's nothing unusual in the Explorer as far as loads," he said.\(^{25}\)

All tires should be designed to be "robust."\(^{32}\) That is, they should be designed to meet the customer's expectations of wear and durability on the vehicle for which they were designed during the life of the tire.\(^{25}\) "Robustness" includes the ability to perform safely and appropriately given the conditions and load-carrying capacity for which the tire was designed.\(^{25}\) The tire should have appropriate internal components so that it can withstand the forces and loads it was designed to encounter in the real world.\(^{25}\) A tire that is not robust presents the likelihood of catastrophic failure, such as tread separation.

The design of the ATX II and Wilderness AT tires is not robust. Representatives of Ford Motor Company have testified under oath that 15-inch Wilderness tires are not "robust" for the use for which they were created.\(^{18}\) The following is a cross-sectional view of a Wilderness AT tire at the belt edge.

![Cross-sectional view of a Wilderness AT tire at the belt edge](image)

The cracks that start at the #2 belt edge result from a combination of a wedge that is poorly designed, both in its gauge and placement, a less-than-robust wedge compound, and a skim compound that is inadequate given the tire's other design characteristics.
The purpose of the wedge is to help separate the steel belts, assist in the local distribution of shear forces, and provide durability in the sensitive area at the belt edges. Firestone chose a wedge design for the ATX and Wilderness AT tires that was designed for use in a passenger car. The gauge, or thickness, of the wedge is less than that found in other truck-type tires and results in low tearing forces, and therefore poor durability, at the belt edges. Firestone’s placement of the wedge is also an important factor because the distribution of the stress-strain forces has a relationship to the distance between the edge of belt #2 and the shoulder of the tire. Greater distance between these points results in the tires that run hotter, and in more stress build-up in the tire.

The tires in question have a larger-than-expected distance between the edge of belt #2 and the tire shoulder. Ford’s decision in the mid-1990s to reduce the tire’s weight resulted in insufficient coverage over the belt edges between the tread blocks (or “pockets”), increased stress and strain on the already weak wedge section, and eliminated any margin for error. The significant amount of material removed from the tires to achieve the weight reduction restricted the engineers’ ability to specify a durable belt edge design with a smooth transition from the rigid belt edges to the flexible upper sidewall.

While the tires may have performed adequately when produced precisely to specification and operated at maximum inflation pressure at low to moderate speeds, the high incidence of failure indicates that the design was unacceptable when exposed to the normal variations encountered during volume production, normal usage by consumers and the low inflation levels recommended by Ford (26 psi).

4. The Shoulder Design Creates Additional Heat and Stress

The ATX and Wilderness AT tires are designed with a pattern of cavities between the “lugs” around the edges of the tread on the tire’s shoulder. Firestone refers to these spaces as “shoulder pockets.”

The “pocket” design invites additional stresses to occur inside the shoulder pocket, causing excessive heat at the belt edges internally and allowing small cracks to develop. An analysis confirmed that the temperature profile for the Firestone tire was “more severe” than Goodyear’s, given the same speed, loading and pressure. A Finite Element Analysis likewise confirmed that extremely high stress is exerted on the belt edges because of the tire’s design. Analysis also found that the level of stress is elevated when the tire is exposed to high speed, low inflation and high ambient temperatures.

The “pocket” design also has a tendency to allow the development of external cracks, both small and large. These cracks tend to enlarge during rolling deformations and can act as a pump that allows the introduction of water or moisture when driven in wet conditions. If the moisture reaches the steel cord network, where belt separation resistance is lowest, separation can begin or be exacerbated.
5. Radiographic Evidence Verifies the Design Problems

The belt edges radiographically demonstrate "waviness," which indicates significant movement of the tread rubber to fill the shoulder blocks of the tread pattern during the curing stage of manufacturing. This waviness results in increased stresses on the belt edges. Significant material flow during curing makes it more difficult to control the thickness of the tread rubber over the belt edges in the areas between the tread blocks.

The following figure, an x-ray of an ATX tire made in 1993 at Firestone's Decatur, Illinois Firestone plant, shows this "waviness."

![X-ray of ATX tire](image)

The next figure, an x-ray of a Wilderness AT tire made in 1998 at the Joliette, Quebec, Canada plant, also shows the waviness common to Wilderness tires.
This "waviness" is not present in the P255/70R16 Wilderness AT "Special Services" tire. The "Special Services" was a tire produced for the Saudi Arabian market and was obtained by SafetyScan.com as part of this investigation. That tire includes a nylon overlay, which not only adds to the tire's durability, but also reduces material flow during the curing process.

Radiographic evidence of a sampling of both recalled and non-recalled tires also demonstrates non-uniformity in the wire alignment within the belts, bad splices and excessive belt placement variation. The frequency with which these conditions appear on the sampled tires indicates a direct relationship with the design of the tire.

6. The 1x5 Wire Cord Increases the Likelihood of Failure

The wire cord (1x5) chosen for use in the tires is inappropriate given the shoulder design and the anticipated loads and usage of the Explorer. The chosen cord increases the tendency of the tires to develop separations and lose adhesion qualities. The illustration below shows the 1x5 wire configuration in the P255 75R15 (15-inch) Wilderness AT tire. The illustration documents the existence of breakdown at the belt edge, including cracks that are beginning to spread inward and the loss of adhesion between the steel cords and the skim or rubber surrounding the cords.
The following is a diagram illustrating the design and tensile strength characteristics of various wire designs, including the 1x5 design. Note the additional strength characteristics of the 6x3 cord design, which is a design typically incorporated into light truck-type tires.
The 1x5 wire design is old technology. Its use is one strategy for reducing the cost of production. In this design, the individual strands of steel are tightly wrapped and do not allow for rubber to penetrate to the core of the bundle. If the rubber does not penetrate to the core, the entire belt structure can become a conduit for circulating air through the belt. Inflation air can therefore permeate through the inner liner. Ford’s specifications to Firestone did not include loss over time, so Firestone was free to choose a less expensive (and less reliable) inner liner compound, which allowed more air permeation into the tire.

Excessive moisture also contributes to tread separations. Moisture can enter through punctures, cracks, factory or manufacturing problems, as well as the simple permeation of air and moisture through the inner liner of the tire. Moisture tends to combine with chemicals in the tire’s stock to evade the adhesion bond between the steel wires in the belts and the surrounding rubber matrix. This causes tread distortion and, ultimately, separation.

Firestone used the same 1x5 wire design in the Firestone 500 tires that were produced – and recalled – in the 1970’s.

**The Skim Compound has Poor Rubber-to-Wire Adhesion Characteristics**

As a general proposition, tire compounds are polymer rubbers or polymer blends with fillers (highly developed carbon blacks), processing aids such as softeners, plasticizers or reclaimed rubber, vulcanization accelerants (sulfur and zinc oxide), and chemical protective agents, sometimes known as antioxidants and antiozonants.

Modulus and hardness can be controlled by varying either the amount of carbon black, the amount of extender or filler, the fineness and structure of the black, or the number of molecular crosslinks introduced during the curing process. The high modulus of skim helps wire adhesion. Aging resistance is provided by the antioxidants and the zinc oxide. The gauge of the steel cord and the number of twisted strands chosen for the wire are additional important factors when considering skim compound.

The skim compound or “skim stock” is a rubber coating that surrounds the steel belts. The gauge of the steel cord and the number of twisted strands chosen for the wire are important factors when considering skim compound. One purpose of the compound is to hold the belts at a specific spacing to allow relative movement of the belts without fatigue or fracture.

The peel resistance of skim rubber loses an average of 50 percent of its initial strength during the first two years, primarily from oxidation. The belt wedge, on the other hand, oxidizes more slowly because it is thicker and has less contact with the belts. As Ford’s internal documents show, the aging of the ATX and Wilderness AT tires, especially the aging in the belt wedge, was “classic” oxidative aging and was not due to excessive heat build-up. This means that the physical evidence does not support customer abuse – extreme under-inflation – as a cause of tire degradation in these tires.
The following table provides an overview of several critical components of the ATX II and Wilderness AT tires. Note the similarities between the various design characteristics, including the compounds.

<table>
<thead>
<tr>
<th>CHARACTERISTIC</th>
<th>ATX II</th>
<th>WILD AT 15&quot;</th>
<th>WILD AT 16&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tread Depth</td>
<td>0.42</td>
<td>0.42</td>
<td>0.27</td>
</tr>
<tr>
<td>Load Reserve (FR)</td>
<td>192/118</td>
<td>192/118</td>
<td>152/413</td>
</tr>
<tr>
<td>Inflation</td>
<td>26:26</td>
<td>26:26</td>
<td>30:30</td>
</tr>
<tr>
<td>Tread Compound</td>
<td>NA</td>
<td>V6607</td>
<td>V6187</td>
</tr>
<tr>
<td>Subtread Compound</td>
<td>V4277</td>
<td>V3647</td>
<td>V4277</td>
</tr>
<tr>
<td>BEI Compound</td>
<td>V1697</td>
<td>V1697</td>
<td>V0027</td>
</tr>
<tr>
<td>Skim Compound</td>
<td>J2757</td>
<td>J2757</td>
<td>J2757</td>
</tr>
<tr>
<td>Wedge Size</td>
<td>.20 x .75</td>
<td>.20 x .75</td>
<td>.20 x .75</td>
</tr>
<tr>
<td>Wedge Compound</td>
<td>J2917</td>
<td>J2917 to J2757</td>
<td>J2919 to J2757</td>
</tr>
</tbody>
</table>

SOURCE: Ford Motor Company

The "wedge compound" and the gauge of the wedge were changed for the Wilderness AT tire in March, 1998. The changeover was completed the following month. Testing shows that wedge compound J2757, the revised wedge compound, is 25 percent stiffer, and has approximately 5 percent more hysteresis and 5 percent better adhesion to steel than compound J2917, which was used from 1995 to 1998.48

The increased durability characteristics chosen for the replacement wedge compound in 1998 can be viewed as direct evidence that Firestone knew the wedge compound initially chosen for the Explorer lacked appropriate "robustness." Notably, the gauge of the wedge on the Goodyear version of the Explorer tire is significantly more robust.49

In the case of the ATX and Wilderness AT tires, the skim compound has inadequate rubber-to-wire adhesion characteristics for the design characteristics of the ATX II and Wilderness AT tires. This contributes to a more rapid loss of adhesion and the spread of belt edge separations.

By comparison, the Goodyear tire, for instance, has a similar tendency to "crack" at the belt edges, but propagation of the cracks through the skim compound (between the belts) does not occur as easily or as often as in the Firestone tires because of the significant difference between the tires in the amount of heat build-up. Aging and plant-to-plant variations also contribute to loss of adhesion characteristics of the skin.

Firestone conducted tests to measure the force required to pull apart a one-inch strip of material similar to that used in the belt package to compare the adhesion strength.50 After sampling strips from various plants, Firestone concluded that Decatur-made tires exhibited "different belt adhesion characteristics," including lower initial adhesion. Firestone speculated that the reduced adhesion levels, although still within required tolerances, provided less strength than tires produced at its other plants.51

The decreased adhesion was thought to correlate with the existence of residual materials (processing lubricants) in the skim stock that were added during a process called "pelletizing."
However, Firestone’s consultant was unable to find a correlation between the manufacturing process (pelletizing) and the material degradation at Decatur.

8. **Ford’s Recommended Inflation Pressure of 26 psi Exacerbates the Tire’s Design Flaws**

The tire industry universally accepts that low inflation pressure can adversely affect tread life, increase tire rolling, lose excessive heat, lower gas mileage, and lead to the sudden total failure of a tire during operation which, at highway speeds, can have catastrophic results in certain poorly designed vehicles.

All tires are designed to deflect under load. This deflection is what enables the tire to support a load. Deflection of the lower sidewall tends to alter the angle of the cord tension and reduces the vertical component acting on the “bead wires,” the individual filaments that make up the steel belt. The upper sidewall tension pulls on the bead wire and actually provides support for the load from the top. The deflection of the tire also benefits traction and tread wear due to size and shape of the contact patch, or footprint, of the tire.

The mechanism by which inflation pressure affects tire performance and durability is straightforward. Low inflation tends to make the sidewall of the tire flex, or deflect more than it is designed to do. Flexing the sidewall builds up heat, which can cause irreversible damage to the internal components of the tire. The more under-inflated a tire is, the faster it rotates, or the more load it is made to carry, the more the tire tends to flex and the more quickly it degrades.

As a general rule, puncture resistance increases with lower inflation, but lower inflation also directly impacts the fatigue life of the tire. Key factors associated with fatigue life are the temperature inside the tire; the stress strain field, and cycles at each condition. The operating variables that influence these parameters are speed, load, pressure and time. Speed and deflection (load and pressures have the greatest influence on tire temperature, while deflection determines the stress/strain field of the tire.

Historically, the tire industry has held that under-inflating a tire by 4 psi or more can be dangerous to the internal components of the tire. Studies by traffic safety groups dating back 20 years have shown that between 50 and 80 percent of all surveyed vehicles are running on tires at a lower inflation pressure than is recommended.

Both Ford and Firestone concede that the Firestone tires in question operate at higher temperatures than similar tires. Thermal imaging studies performed as Ford’s request indicated that the left side of the vehicle operates hotter than the right side, and the temperature profile of the Firestone tire is higher than that of equivalent Goodyear tires at a given speed, load and inflation pressure. Ford has also suggested that the shoulder design is a factor in the tire’s increased internal operating temperatures.

The relationship between inflation pressure and tire performance is well known and well-accepted. The following diagram demonstrates this fundamental proposition.
The effect of low inflation on internal tire stress

The effect of low inflation on internal tire temperature is illustrated by the following chart.
As depicted, with decreased inflation pressure, internal tire temperature increases after 45 minutes of operation at 85 mph.

Inherent design problems in the Explorer created the risk that the Explorer would roll over during foreseeable turning maneuvers. Instead of modifying the design of the Explorer to fix this known instability, Ford unilaterally chose to recommend that the tires on its SUVs be operated at 26 psi, significantly below the maximum allowed inflation pressure. Ford's recommendation was a cosmetic attempt to make the Explorer perform better in these quick-turn maneuvers. The direct consequence of this decision was that the Ford-recommended lower inflation level increased the operating temperature of the tires, triggering a decrease in belt-adhesion properties over and above the inadequacies that already existed.

The decreased inflation pressure that was recommended by Ford also harmed the rolling resistance of the tire and, consequently, the fuel efficiency of the Explorer. To correct that fuel economy problem, Ford initiated design changes that compounded the tread separation problem. Ford ordered a lighter tire that was less durable and more prone to the stresses created by their use on an Explorer at the reduced inflation pressures chosen by Ford.

In addition to the low inflation problem that resulted from the Explorer's stability problems, testing by Firestone reportedly found that Explorer load levels, when coupled with Ford's specified...
tire pressure of 26 psi, resulted in a tire that was “approaching the limits of its load carrying capacity.”

In sum, the tire specified for the Explorer when operated at 26 psi has virtually no margin of safety or “robustness” for operation in the real world. Unless the tire is in perfect condition, operated at perfect load levels, and maintains perfect inflation (in this case, 35 psi), the tire is highly susceptible to failure.

9. Lack of Adequate Quality Control Further Exacerbates the Tire Design Flaws

By the very nature of their construction, tires have anomalies caused by splices, belt misplacement, uneven cords, cord angle and cord count variation, as well as other variables. These potentially harmful variations must be kept within controlled limits during the manufacturing process before the tires are placed in service. These variations, all subject to human inexactness, are the reason that manufacturing tolerances are created with both upper and lower bounds of acceptability.

Lack of adequate quality control of the manufacturing processes at all of the Firestone plants where the tires were manufactured led to poorly manufactured tires, thus increasing the likelihood of catastrophic failures. Descriptions of the quality control problems are documented in sworn testimony by employees at the various plants. Moreover, Ford’s “root cause” analysis confirmed production problems that ranged from variation in inner liner” gauge to “large variability” in belt “step-off” and in belt placement in an axial direction.

10. Decatur Does Not Explain the Poor Performance of the Tires

Ford and Firestone have strained from the outset to limit the recall to only those Wilderness AT tires manufactured in Decatur. Unfortunately, their own findings do not support this attribution. The following chart reflects data produced by Firestone’s consultant, Dr. Sanjay Govindjee, as a result of a survey of returned tires which had not failed. Each tire was cut in a cross-section and examined to determine whether belt edge cracks existed. This investigation was conducted jointly by Ford and Firestone.

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>BELT EDGE CRACKS (%)</th>
<th>SAMPLE SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Joliette South</td>
<td>61%</td>
<td>46</td>
</tr>
<tr>
<td>Wilson South</td>
<td>48%</td>
<td>50</td>
</tr>
<tr>
<td>Decatur South</td>
<td>26%</td>
<td>172</td>
</tr>
<tr>
<td>Joliette North</td>
<td>23%</td>
<td>31</td>
</tr>
<tr>
<td>Wilson North</td>
<td>16%</td>
<td>31</td>
</tr>
<tr>
<td>Decatur North</td>
<td>4.6</td>
<td>152</td>
</tr>
</tbody>
</table>

Data published by Govindjee from Returned Tire Survey, p. 90, prepared for Firestone Tire Co.

As noted in the chart, the percentage of Decatur tires exhibiting evidence of belt edge cracking...
was lower than the percentages of tires manufactured at either the Joliette or Wilson plants.\textsuperscript{30} Despite this clear evidence from Ford and Firestone's own returned tire survey, both companies have continued to advise consumers that the non-Decatur Wilderness tires are "safe" and "world class performers."

While Ford and Firestone delay recalling the tires, 61 percent of consumers in the south with Joliette-made Wilderness tires and 48 percent of consumers in the south with Wilson-made Wilderness tires are likely operating their Explorers with tires that are already exhibiting belt edge separations. Many of these consumers are operating their Explorers with the Wilderness AT tires because Ford and Firestone have publicly represented that these tires are safe, free of any defect, and will not suffer catastrophic failure while in operation. By continuing to ignore reality, both Ford and Firestone are consciously placing the consuming public at risk.

With regard to the issue of differing manufacturing processes used at Decatur versus those used at other plants, the following chart demonstrates the plant-to-plant differences that do exist between Decatur, Wilson and Joliette. As the chart below shows, however, there is no pattern of differences that would indicate that Decatur was in some way unique in terms of manufacturing processes. The * signifies that the process used at that particular plant is different from the other plants producing the tires in question. As noted, Wilson has the most differences in the manufacturing process.

<table>
<thead>
<tr>
<th>PROCESS</th>
<th>DECATUR</th>
<th>WILSON</th>
<th>JOLIETTE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banbury</td>
<td>*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seal Coat</td>
<td></td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Tire Assembly, Machine</td>
<td></td>
<td>*</td>
<td></td>
</tr>
<tr>
<td>Curing</td>
<td></td>
<td>*</td>
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</table>

The Banbury process is both a machine and a stage of production, wherein the rubber is mixed with steel cords. The Decatur plant uses "pelletizing" in its Banbury process and the other plants use slabs. If as Firestone has stated, the "pelletizing" process introduces adhesion-damaging lubricants into the process in Decatur, are all Decatur tires failing like the ATX and Wilderness AT tires? If so, shouldn't they be recalled as well?\textsuperscript{31}

Statistical evidence has been produced by several different sources on a number of different occasions refuting the argument that Decatur should be stuck with the entire blame for the bad tires.\textsuperscript{32} Moreover, Firestone has repeatedly refused to make adjustment data comparing the failure rates for all tires manufactured at Decatur during the relevant time periods publicly available.
11. Road Hazards and Repairs are Not Major Factors Associated with Failures

All tires are exposed to road hazards, punctures and repairs. According to Ford’s analysis of claims filed following tread separations, only about 3 in 10 failures involved tires that had evidence of puncture repair. This means that 7 of 10 failures that resulted in claims were failures of puncture-free tires. This is consistent with analysis that the root cause of Firestone tire failures is not a customer problem, but a design problem. It should likewise be noted that neither Ford nor Firestone advises against puncture repair of steel belted radial tires.

12. The P255/70R16 (16-inch) Wilderness AT Tire Fails for the Same Reasons

In the mid-1990’s, Firestone developed a P255/70R16 Wilderness AT tire for, among other things, use on the Ford Explorer. Due to a pattern of failures in the Gulf Coast countries, including Saudi Arabia and other nations, and in Venezuela, Ford moved quickly to recall 16-inch tires.

Both Ford and Firestone have refused to recall the 16-inch tires in the U.S., claiming that the environmental “circumstances” in the Gulf Coast countries and Venezuela were “unique.” Both Public Citizen and Safetymatters.com have objected to this refusal and, citing repeated failures of 16-inch Firestone tires in the U.S., have urged an expansion of the recall to include these tires.

Evidence shows that the 16-inch tires remain a hazard. A case in point: Indoor wheel testing of a 16-inch Wilderness AT tire was performed at an independent laboratory using routine procedures designed to obtain the tire force and moment characteristics for use in computer simulation analyses of the Ford Explorer. During the testing, which included the use of new production tires, one of the 16-inch Wilderness AT tires suffered an unexpected tread separation. The following photo was taken following the testing.
The testing was not designed to evaluate the durability of the tire. To the contrary, the testing was designed to evaluate certain force and moment characteristics of the tires in turning maneuvers. Although the test protocol requires severe slip angles in order to evaluate the performance capability of the tire in severe maneuvers, the tire should not fail during testing. This type of failure is further evidence of the lack of robustness present in the tires from a design standpoint.

VI. THE ROLE OF THE EXPLORER

A. Firestone Speaks Out on Rollover

In October, 2000, John Lampc, Firestone's Executive Vice President, made the following statement:

Tires will fail, and do so for a number of reasons. In most cases, a vehicle that experiences a tire failure can be brought safely under control. However, we have seen an alarming number of serious accidents from rollovers of the Explorer after a tire failure.

Ford's own internal investigation of Explorer rollover crashes in Venezuela that involved tire failures concluded that the problem was "unique" in that a "high incidence of vehicle roll over after a tire blowout or tread loss has not been detected for other vehicle brands," such as Toyota, General Motors and Chrysler.
Following an analysis of national and Florida crash statistics by the *Washington Post* which found that the Explorer has more tire-related crashes than other SUVs, James Fell, a retired NHTSA chief researcher, stated:

The [findings] give an indication that there may be a factor with the Ford Explorer beyond the tire issue. It's a first indicator that they may have a stability problem.

Likewise, former NHTSA Administrator Sue Bailey verified that the Explorer was part of the agency's tire investigation:

The Explorer is part of the ongoing investigation because we are concerned about the rollover capability.

Firestone's position regarding the Explorer is based on its own analysis of warranty records. Relying on adjustment data that it has refused to make public, Firestone says that its ATX and Wilderness AT tires do not fail more frequently than other tires, but that a failure on an Explorer more often results in someone dying or being injured. In other words, Firestone claims that the real culprit in the deaths and injuries is Ford.

B. In Their Research, Ford and Firestone Have Ignored the Risks Posed By the Explorer

Neither Ford nor Firestone have chosen to directly focus their "root cause" investigations on the role of the Explorer in causing the injuries and fatalities that result from tread separations. In its report of December 19, 2000, Firestone stated:

This summary report does not address vehicle performance or driver response issues after a tread separation occurs. That interaction, which is certainly an important factor in determining the cause of the serious accidents related to tires and the vehicles upon which they are mounted, is beyond the scope of the company's review and this summary.

C. The Unique Role of SUVs and the Explorer in Rollover Crashes

The greatest harm associated with tread separations of the Firestone ATX, ATX II and Wilderness AT tires is rollover-related fatalities and injuries. According to the NHTSA defect investigation database, 86 percent of the fatalities associated with the defective tires are fatal injuries that were suffered when an Explorer rolled over after the tread separation. According to Firestone, the Explorer's rollover experience after a tread separation is unique in Firestone's history of providing radial tires to the auto industry.52

Almost 200 U.S. citizens have died when their Explorers rolled over following a tread separation on a Firestone tire. Although this toll is alarming, the overall death toll for rollover crashes in the U.S. is even more astonishing: Rollover deaths comprise nearly one-third of the total number of occupant fatalities in both 1999 and 2000.
Crashes in which a vehicle rolled over accounted for 56 percent of single-vehicle crash deaths and 11 percent of multi-vehicle crash deaths in 1999. As this suggests, vehicle rollovers produce catastrophic crashes that are heavily associated with occupant fatalities. As yet another indicator, nearly 20 percent of fatal crashes are rollover crashes. In comparison, rollovers constitute 5 percent of the crashes that produce injury, and a mere 1 percent of the crashes that produce only property damage.

Using data from 1995-1999 in the National Accident Sampling System (NASS), NHTSA estimates that an average of 253,000 were towed from a rollover crash in each of those years and that 27,000 occupants of these vehicles were seriously injured, as defined by NHTSA's Abbreviated Injury Scaling System. The vast majority of those crashes, numbering some 205,000, were single-vehicle rollovers, incurring 19,000 serious injuries.

Surprisingly, 35 percent of those who suffered a serious injury in a single-vehicle tow-away rollover were wearing safety belts at the time of the crash. Safety belt use is always referenced as a “top priority” in reducing injuries in rollover and other types of crashes. Nonetheless, according to NHTSA, over 2 of every 10 consumers suffer serious injury, such as a broken hip, in single-vehicle rollovers, despite their use of a safety belt.

Deaths in pickups and utility vehicles have more than doubled since 1975. According to NHTSA's National Center for Statistics and Analysis, in 1999, 10,133 people were killed as occupants of passenger vehicles in rollover crashes, including 1,898 people who were occupants of SUVs. In even more recent data, SUVs continue to demonstrate that they pose a rollover hazard in comparison to other classes of vehicles.

In 2000, the number of rollover deaths in most vehicle categories remained the same, or decreased, in comparison to 1999 levels. The sole exception to this general positive trend was the higher number of rollover fatalities for occupants of SUVs. For the year 2000, the number of SUV occupants killed in a rollover crash rose 2.8 percent from 1999 levels to a total of 4,661 deaths.

If the data are sorted based upon the outcome of crashes for occupants, SUVs fare badly. NHTSA notes that in 1999, compared with other vehicle types, utility vehicles experienced the highest rollover rates: 37.8 in fatal crashes, 10 percent in injury crashes, and 2.5 percent in property-damage-only crashes.

The following graph illustrates the elevated risk of fatality in rollover crashes in SUVs, and shows that SUVs have the highest number of fatalities in rollover crashes per million registered vehicles.
Fatality Rates in Rollover Crashes
1991-98 FARS Average Annual

Such statistics make it abundantly clear that rollover crashes result in harm, that they are an especially severe problem for light vehicles and SUVs, and that the problem needs to be addressed from the standpoint of both crash prevention and crash protection. Addressing this issue in the context of catastrophic tire failures, although of critical importance given the Explorer's current tire-related problems, should properly be viewed as but one element of a much broader concern for occupant protection that requires prompt NHTSA and auto manufacturer action.

D. The SUV Design Characteristics That Lead to Vehicle Rollover

Applying some of the fundamental laws of physics, the stability of a vehicle can be characterized by a static measurement that is a ratio between the height and width of the vehicle's track. This is called the vehicle's static stability factor, or SSF (SSF = T/2H where T is the track width and H is the center of gravity height).

A vehicle's roll gradient – the tendency to lean during cornering – is defined as the amount of tip angle per cornering acceleration (i.e. degrees per "g" force). In layman's terms, it is a measurement of how much the vehicle tends to tilt sideways as the tires begin to slide on the pavement. As the following NHTSA graph shows, a vehicle's propensity to roll over increases as its SSF decreases. Another way of stating this is that the lower the SSF, the more likely it is that the vehicle will roll over in the real world.
NHTSA, starting this year after more than a decade of rulemaking discussion and delay, recently measured a variety of vehicles, including SUVs, to determine their SSF. As the following table indicates, the Ford Explorer, in all model years, has an SSF that is among the lowest of all SUVs measured. In fact, the only ones with worse SSFs are vehicles that are no longer manufactured or sold in the U.S. Also of significance is that the post-1995 model Explorers is worse, not better, than earlier ("93-"94) Explorers.

<table>
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<tr>
<th>VEHICLE</th>
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<tr>
<td>Toyota 4Runner</td>
<td>90-95</td>
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<tr>
<td>Isuzu Trooper</td>
<td>88-91</td>
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</tr>
<tr>
<td>Nissan Pathfinder</td>
<td>88-95</td>
<td>1.07</td>
</tr>
<tr>
<td>Jeep Cherokee</td>
<td>88-97</td>
<td>1.08</td>
</tr>
<tr>
<td>S10 Blazer</td>
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<td>Acura SLX</td>
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<td>Suzuki Samurai</td>
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</table>

In addition to static measurements, NHTSA also conducted dynamic proving ground rollover resistance testing of a variety of vehicles, including a 1998 Ford Explorer. The J-Turn testing of the
Explorer was limited to approximately 53 mph due to the vehicle's tendency to "oversteer," or "spin-out," during the maneuver. During the higher speed testing that was conducted, the driver was required to "counter-steer" in an effort to keep the vehicle from spinning out. In laymen's terms, the design of the Explorer placed the test driver at risk, due to the tendency of the vehicle to go out of control during a turning maneuver that imitates the letter "S".

E. In Consumer Tests, the Explorer Performed Poorly

To assess the handling characteristics of an Explorer exposed to a simulated tread separation, a post-1995 model 4-door Explorer was purchased to measure its static design characteristics. Initially, the vehicle was tested based on accepted industry procedures. Basic handling and stability characteristics were measured and converted to a computer simulation.

The measurements showed that the Explorer had design characteristics that directly influenced rollover propensity, including a poor static stability factor (1/VH), a tendency to over-steer at high levels of lateral acceleration, and a rear suspension compression bump-stop influence on directional stability under severe maneuvering conditions that aggravated the vehicle's tendency to over-steer.

The over-steer phenomenon occurs when large roll angles cause rear suspension bump-stop contact, which then significantly increases the effective rear suspension roll stiffness, leading to rear tire side force saturation. To translate: "side force saturation" (i.e., the vehicle's tires are not gripping the road, but are sliding sideways) results in an over-steer response (the vehicle's back-end begins to slide around sideways), which in turn leads to larger side slip angles under emergency maneuvering conditions, followed by the tip-up of the vehicle and rollover.

The handling characteristics of the Explorer were then evaluated through both an on-track testing of simulated catastrophic tread separations and a computer simulation. The computer simulation, created for the U.S. Department of Transportation, evaluated the Explorer's performance in a variety of maneuvers, including a reversal steer maneuver designed to analyze the vehicle's directional stability and rollover propensity. The vehicle parameters were obtained for the simulation through the testing of an Explorer in a shop. Tire characteristics were obtained from Veridian (CalSPAN) tire tests using methods accepted by the industry. The Veridian test data were submitted to fitting procedures that were developed at Systems Technology, Inc. for preparing a tire model parameter file for use in a computer simulation. These tests confirmed the Explorer's tendency to lift its wheels off the pavement in turning maneuvers at reasonably anticipated speeds/steering wheel inputs.

The on-track testing was conducted in Arizona using an Explorer that had been outfitted with instruments to collect information about handling characteristics. One of the rear tires was prepared to experience a simulated tire tread separation while the vehicle was operated at a straight, flat asphalt surface at 60 mph. The following photograph shows the preparation process that was used to create a simulated tread separation on that vehicle.
The next figures show the prepared tire mounted on the rear of the instrumented test vehicle.
The test evaluated the vehicle's response to the simulated tread separation event. The steering wheel was held in a fixed position at 0±2 degrees, before and during the event, and the tread-separation event occurred over at least one second. The tests were videotaped.

The following figure shows the Explorer after one of the early tread separation runs, in which the vehicle rolled completely over after it jerked uncontrollably when the tread separated. The rollover occurred despite the fact that outriggers were attached. The professional driver was protected by both a five-point racing harness and a roll bar.

The next figure displays slip angle data for the Explorer in the simulated tread separation run. At approximately 31 seconds into the run, the Explorer began developing a high slip angle that exceeded 40 degrees during the maneuver.
The next figure shows the vehicle's heading during the run. At approximately 31 seconds into the run, the vehicle violently changed direction within one second. It jerked approximately 25 degrees. At two seconds, it changed directions by more than 50 degrees, and in less than three seconds the change in direction peaked at about 75 degrees.

Given that typical reaction time in emergency situations is approximately 2.5 to 3 seconds, an ordinary driver would have had no ability to control the violent jerk exhibited by the Explorer following tread separation.
Once the test driver began to lose directional control of the vehicle, the Explorer became unreasonably prone to vehicle rollover because of its high center of gravity, relatively narrow track width, short wheelbase, and sensitive steering. Compounding the problem was that the vehicle is marketed for a use for which it is not designed: freeway driving as the functional equivalent of a station wagon. The relatively large tires contribute to the Explorer’s propensity to roll over.

CONCLUSION

The summer heat is almost upon us once more, yet some of the Ford Explorers on the highway may still be at risk of catastrophic rollover crashes caused by tread separations on their faulty Firestone tires. A new round in this tragedy would devastate consumers, and further harm the reputations of Ford and Firestone, who have promised since the end of last summer that the problem was fixed.

This report shows that the design and subsequent re-designs of the Firestone tire are the result of a long series of cost- and weight-saving miscalculations and gambles by Ford. Ford addressed the handling and stability problems in the design of their Explorer vehicle by tinkering with the inflation levels and weight of its tires, thus making what was already a bad problem into a lethal one.

A direct and comprehensive solution is required. It must include the recall of all the defective tires, including the non-Decatur 15-inch Wilderness AT tires and all 16-inch Wilderness AT Tires, and a full public information and customer notification program to tell owners of Ford Explorers and the public about the demonstrated hazards associated with these vehicles. New safety standards and informational outreach on the part of NHTSA are also imperative.

The companies have thus far produced only false reassurances and partial explanations. As this report points out, since August of last year Ford and Firestone have failed to acknowledge the many weaknesses and omissions in their official account of the causes of these tragic crashes. It is time for them to step up, to fulfill their duties as corporate citizens, and to really “make it right” — before any more of their customers are unnecessarily injured or killed.
### Appendix I

The following chart provides a list of the sample trees chosen for the x-ray portion of the project:

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<thead>
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<th>Tree #</th>
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<th>Damage</th>
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Endnotes

1 The word "tread separation" in the context in which it is used in the present report refers to a "belt leaving belt" condition, which is sometimes referred to as BLB. Although the tread clearly separates from the tire, the separation is actually between the two steel belts.

2 Id. Turner is Safetyforum.com’s "attorney of record" for tires and vehicle stability.

3 Id. Turner is Safetyforum.com’s "attorney of record" for tires and vehicle stability.

4 Belt Wedges are circular wedges placed around the circumference of both sidewalls between the metal belts to stiffen and strengthen the tire. The function of the wedge is to a) separate the edges of the two steel belts, thus minimizing seam; b) help distribute the shearing forces (stress and strain) to adjacent components; and c) help the adhesion of the surrounding components.

5 Approximately, three weeks after the recall was announced, NHTSA asked Firestone to expand the recall to include other tires because of consumer complaints that the agency had received and the early results from its own defect investigation revealed that other models were experiencing rates of tread separations that exceeded those of the recalled tires, sometimes by a large margin. Firestone refused to expand the recall. NHTSA responded by issuing a "consumer advisory" designed to warn consumers about the tire about half of which were still on the road, were experiencing high tread-separation rates. NHTSA's consumer advisory is the consumer's request, but still refused to expand the scope of the recall. The burden of requesting that tires listed in NHTSA's consumer advisory be replaced fell upon the consumer.


8 Id. at 15.

9 Id. at 34.

10 Id. at 15.

11 Id. at 34.

12 Id. at 15.

13 Id. at 34.

14 Id. at 15.

15 Id. at 34.

16 Id. at 15.

17 Id. at 34.

18 Id. at 15.

19 Id. at 34.

20 Id. at 15.

21 Id. at 34.

22 Id. at 15.

23 Id. at 34.

24 Id. at 15.

25 Id. at 34.
25 A sufficient tire is a large tire that is typically designated with a light truck designation and is designed to operate at high inflation pressures.
26 Deposition by Tab Turner of Robert Marlin, Vice President, Quality Assurance, Firestone, Nov. 27, 2000.
29 Deposition by Tab Turner of Michael Reep, Design Engineer, Firestone, Dec. 11, 2000.
30 Id.
31 “Standard Load” refers to a passenger tire with a maximum inflation pressure of 35 lbs. An “extra load” tire, on the other hand, is a passenger tire with a maximum inflation pressure of 41 lbs, which allows for greater load carrying capacity.
34 Deposition by Tab Turner of Brian Qureshi, Firestone Design Engineer, Dec. 20, 2000.
36 Id.
37 Id.
38 Id.
39 Id.
40 Id.
43 Id.
44 Id.
45 Id.
46 Id.
47 Id.
51 The inner liner is the layer between the air inside the tire and the internal components of the tire.
52 Belt “step-off” means that the lower belt is wider than the upper belt.
53 Axial refers to an up and down direction.
56 Data according to an interpretation of the Department of Transportation’s Fatality Analysis Reporting System (FARS) by the Insurance Institute for Highway Safety, Fatality Facts, Oct. 2000.
58 Id.
59 Data according to an interpretation of the Department of Transportation’s Fatality Analysis Reporting System (FARS) by the Insurance Institute for Highway Safety, Fatality Facts, Oct. 2000. 
61 Id.
63 “Bump stop” refers to an elastic component of the suspension that is designed to limit compression travel of the
suspension system as the vehicle rolls.
Spinning Their Wheels: How Ford and Firestone Fail to Justify the Limited Tire Recall

Evidence assembled by Safetyforum.com and Public Citizen
January 4, 2001

I. Introduction

On August 9, 2000, Ford Motor Company and Bridgestone/Firestone, Inc. jointly announced the recall of approximately 6.5 million ATX, ATX II and Wilderness AT tires. The recall included the P235/75R15 ATX and ATX II tires, but only a certain number of Wilderness AT tires. The Wilderness AT tires included in the recall were only those P235/75R15 tires produced at Firestone's Decatur, Illinois plant. Most of these tires were used as standard equipment on Ford Explorers.

According to recent figures released by the federal auto safety regulatory agency, the National Highway Traffic Safety Administration (NHTSA), failures associated with these tires have so far resulted in 148 deaths and over 500 injuries. The majority of the tire failures that caused injury or death occurred in the south and southwest regions of the U.S. and virtually all involved Ford Explorers. This report investigates the causes for these tire failures, and marshals the evidence to show that the scope of the recall still underway is significantly too narrow to protect consumers from tire failures and potentially fatal rollover crashes.

A. The Word from Ford and Firestone

1. Firestone

On December 19, 2000, Firestone issued a report acknowledging design flaws in its 6.5 million recalled tires while blaming both itself and Ford for the consequences of the tire failures. Firestone's news release cited four major causes of the tire failures and crashes of the Explorers:

- Design problems in the Explorer triggered Ford's recommendation that the tires be inflated to 26 pounds per square inch (psi), significantly lower than the maximum allowed. According to Firestone, the lower inflation rate "increased the running temperature of tires and contributed to a decreased belt-adhesion level;"

- There were problems with the manufacturing process in the Firestone Decatur plant. Firestone specifically cited the composition of the rubber used and the adhesion characteristics of tires made in the Decatur plant. According to Firestone, the recalled tires from Decatur "exhibited different belt-adhesion characteristics, including lower initial adhesion, than those same size and line of tires produced at other plants;"
There was a problem in the tire's design, specifically in the shoulder of the tire, which, according to Firestone, "could lead to cracking...in the wedge area of the tire [and] result in a reduction of resistance against belt detachment or tread separation."

Customer were misusing the tires. Firestone reiterated its common theme that "tire industry experience demonstrates that many tread separations can be caused by various forms of tire damage encountered in daily use, such as punctures, improper repairs, [and] severe impacts."

2. Ford

A report issued by Ford likewise blamed the failures of the tires on a combination of design problems and manufacturing difficulties encountered at Firestone's Decatur plant, but Ford disputed Firestone's claim that Ford Explorer design flaws played a role in the crashes. Ford reported that its "engineers and scientists" were involved in "ongoing statistical analyses" and that the company's "test data" appeared to agree with many of Firestone's preliminary conclusions. Ford's report included the following findings:

Testing on Ford and other makes of vehicles and on tire test rigs showed that the P235/75R15 ATX and Wilderness AT tires do become hotter during use than other competitive designs, although Ford did not know the cause of this.

Test data also showed that rubber cohesion is lower in the belt area of Decatur-built tires. The test data, however, did not tell Ford what aspect of the manufacturing process may cause this.

Ford did not test or analyze tires which have had a puncture repaired, but stated that it seems reasonable that a tire that is already sensitive to heat because of design and manufacturing conditions could be progressively damaged if it was further heated because of lower inflation pressures prior to or following a repair.

While Ford was unable to fully define the cause of the tread separation problem, its "preliminary root cause hypothesis" was as follows:

"The design of the tire generates high stresses and heat in the wedge and belt area. Manufacturing processes at Firestone's Decatur Plant reduce the cohesion level of the rubber in that same area of the tire. This reduced strength permits cracks to propagate between the steel belts. We believe it is a combination of manufacturing factors and the reaction of the tire design to field operating conditions including hot weather and very low tire pressure that have caused the increased failure rate of these tires."

Despite these differences of opinion relating to the role of the Explorer in causing tread separations, crashes, and, most importantly, many deaths and injuries, and despite the companies' ongoing inability to define the cause of the problem, both Ford and Firestone argued that the current recall was "adequate" to protect consumers.

B. Why the Recall Should Be Expanded
The purpose of this report is to respond to these assertions by Ford and Firestone concerning the causes and mysteries of this tragic situation, and supplement the factual basis for the repeated calls of various consumer organizations, victims' groups, victims, and family members for an expansion of the recall of the 15-inch AT tires of the type used on the Explorer, regardless of the place of manufacture. The best available data indicate that this amounts to 5.8 million 15-inch tires and a much smaller number of 16-inch tires. This report presents ample proof of the need for an expanded recall of additional Wilderness tires, showing that:

The recalled Wilderness AT Tires, made in the Decatur plant, are identical in design to the Wilderness AT tires produced primarily in the Wilson and Joliet plants that have yet to be recalled. They are also virtually identical to the non-recalled Wilderness in the materials and process used to manufacture them.

The failure mode—or reason for failure—in the tires which causes the tread separations is virtually identical in every instance concerning both recalled and non-recalled tires.

Ford has now formally conceded that the non-recalled Wilderness AT tires, i.e., those made at Firestone plants other than Decatur, are not, in design terms, sufficiently "robust," and that the tires could very well fail under foreseeable operating conditions in the U.S.

Ford and Firestone are relying upon a very selective and limited database of unverified "statistical information" to support their continued refusal to recall the remainder of the tires. They refuse to evaluate warranty data (also called adjustment data) or to consider litigation information or consumer complaints in their evaluations.

Ford originally claimed that "unique environmental conditions" were the cause of the failures in Saudi Arabia and that Ford and Firestone cited these conditions in support of their decision not to recall 16-inch tires in the U.S., even though the recalls (called "customer satisfaction campaigns by the companies") that were conducted in Saudi Arabia were for tires identical to those sold in the U.S. Ford has since conceded that these allegedly "unique" conditions did not in fact explain the tire failure problem in Saudi Arabia, that similar conditions exist in the U.S., and that those conditions may be the cause of the tire failures here.

The large number of deaths and serious injuries associated with Firestone tread separations leading to Explorer rollover crashes raises serious safety issues concerning the design of Ford's Explorer. Although the majority of the discussion in Ford and Firestone's respective reports focuses on the "root cause" of the tire failures, as opposed to the role of the Explorer in causing the injuries, the unusually large number of Explorers that roll over following tread separations cannot be ignored. Firestone's consistent public position that the Explorer plays a significant role in causing deaths and injuries further emphasizes the need to include an analysis of safety problems in the Explorer's design and the lack of rollover safety margin.

Given the catastrophic results that flow from the combination of poorly-performing tires on a rollover-prone vehicle, Ford and Firestone shoulder a heavy burden in refusing to recall all the Ford Explorer Wilderness tires.

The real story behind the recall begins with the design history of the tires and the vehicle for which they were made.
II. The Design History: Ford and Firestone Working Together

A. The ATX and Wilderness AT Tires

The Firestone P235/75R15 ATX—sometimes referred to informally as the ATX II—was specifically created for use on the Explorer. Earlier versions of the tire were produced as a flotation tire for Recreational Vehicles (RVs) and were designed with aggressive tread patterns and zigzag treatment on the sides, or "shoulders," of the tires. As the market for sports utility vehicles (SUVs) shifted to include traditional users of station wagons and other family passenger cars, Ford instructed Firestone to develop a "hybrid" tire which looked like an aggressive truck tire but performed like a passenger tire. Company documents show that this modified ATX tire to be developed by Firestone was ordered by Ford for marketing reasons: Ford wanted larger tires, which it believed would better fit the image of the Explorer and help to increase sales.

As is further explained below, the ATX II tire was redesigned in 1994. The modifications reduced the weight of the tire by approximately 10 percent.

The Wilderness AT tire was eventually designed to replace the ATX II tire beginning with Ford's 1995 Explorer model. Tires of both types were mainly manufactured at three Firestone facilities in Decatur, IL, Wilson, N.C., and Joliette in Quebec, Canada. According to information provided by Firestone, the production of ATX II and Wilderness AT P235/75R15 tires varied by year and plant site.

B. Rollover Risks and the Ford Explorer

The Ford Explorer was first produced in 1990 to replace the Bronco II starting in the 1991 model year. Bronco II was known to have a dangerous tendency to flip over during typical emergency turning maneuvers. The Explorer was referred to as the "4 door" Bronco II" during development. The name was changed when the Bronco II came under severe scrutiny as deaths mounted from rollover crashes.

Stability problems associated with the Explorer developed as early as May of 1987 when engineers working within Ford's light truck department reported that the Explorer's static stability factor (SSF)—one measure of a vehicle's tendency to roll over—was worse than the Bronco II. The engineers recommended that Ford increase the vehicle's track width, lower the height of the vehicle's vertical center of gravity, and use smaller tires, called P215/75R15 tires. These proposals were all designed to result in a more stable vehicle with a better SSF rating. None of the
recommendations were adopted by management.

As development of the vehicle continued through the late 1980s, computer simulation testing of the prototype Explorer revealed that it still had a tendency to lift two wheels off the pavement in typical Ford emergency maneuver tests. Having experienced first-hand the devastation resulting from SUVs, such as the Bronco II, that had also experienced design-related rollover problems, Ford engineers suggested deflating the tires from 35 pounds per square inch (psi) to 26 psi in an effort to help keep the wheels of the vehicle on the ground during test maneuvers. Ford had investigated the possibility of deflating tires as a cosmetic adjustment that allowed the use of larger tires on SUVs as early as 1982.

In late spring and early summer of 1989, Ford management authorized the on-road testing of a prototype Explorer, a production level Bronco II, and a production level Chevy S10 Blazer at its Arizona Proving Grounds. The testing was begun in response to the adverse publicity generated by SUV wheels that had lifted off the ground in testing conducted by Consumers Union, an independent non-profit organization that tests cars and publishes Consumer Reports magazine. Ford's tests were focused on the performance of the Bronco II, because that vehicle had previously demonstrated a clear tendency to lift two wheels off the ground in steering maneuvers.

The Arizona testing revealed that the Explorer’s wheels were lifting off the ground at speeds equivalent to the Bronco II’s poor performance. Because Ford was aware of the significance of this finding in the marketplace, Ford engineers again recommended four design changes to the Explorer to help cure the wheel lift problem and achieve performance equivalent to the Chevy S10 Blazer.

But instead of following the recommendations of its own engineers, Ford management chose to adopt only two of the four design change recommendations, creating a recommended inflation level of 26 psi and agreed to consider the remainder of the recommended design changes as “running changes” in subsequent model years. Ford's decision was based on the corporate unacceptability of any delay in production of the 1991 model Explorer, called “Job 1,” and the costs associated with making late changes to the vehicle and subsequent delay in the launch date.

Although Ford has implied that these decisions were primarily intended to improve ride comfort, the company's documents, now public as a result of the congressional hearings, prove that the lower recommended tire air pressure was a specific remedy for the tendency of the vehicle to lift its wheels off the pavement, and consequently to roll over, in typical emergency maneuvers. Ford's decision to set the recommended tire pressure at 26 psi later became a central focus of the dispute between Ford and Firestone about the cause of the tread separation problem faced by consumers.

Ford successfully met its Job 1 deadline and, at least according to testimony, met the company’s internal rollover guideline in testing.

C. Ford's Request for a Firestone Redesign of the ATX Tire

Ford's decision to lower the original equipment Firestone tires to a recommended 26 psi resulted in decreased fuel economy for the Explorer due to the greater friction between the lower inflated tires and the road. Immediately following Job 1 in 1990, Ford management began raising “concerns” about the poor "rolling resistance," or higher friction, provided by the ATX tire and the resulting harm to the fuel economy of the vehicle. According to internal Ford documents, the Explorer was 7 percent worse than its competition from a fuel economy standpoint. Ford management ordered an improvement in the vehicle's relative fuel economy...
performance. Ford employee Jim Burdette was charged with the responsibility of achieving this improvement through modification of the rolling resistance of Firestone tires.

There were three methods available for improving the rolling resistance of the tires: 1) modifying the rubber compounds by using low rolling resistance compounds, 2) increasing air pressure in the tires; or 3) reducing the weight of the tires.

Incorporating low rolling resistance compounds was not a good solution because the modified compounds altered the traction characteristics of the tires to the extent that the wheels of the Explorer would not stay on the ground in turning test maneuvers. After learning of this fact, Mr. Burdette requested that the engineers again increase the recommended tire inflation pressure from 26/26 psi to 30/30 psi. Mr. Burdette’s request was never heeded because this change also caused the wheels of the Explorer to lift off the ground in turning test maneuvers, the condition that had prompted Ford’s request to take air of the tires in the first instance.

When these first two methods failed, Firestone was told to take action to use the only other method available for improving rolling resistance: to reduce the weight of the tire by modifying and reducing the weight of certain components. The tire was eventually reduced in weight by approximately 10 percent in order to accommodate Ford’s desire to improve rolling resistance—resistance which had originally been sacrificed in order to keep the wheels of the Explorer on the ground during turning maneuvers. The following chronology of tire construction detail sheets from both Ford and Firestone documents the history of proposed tire construction and the 1994 reduction in weight:

<table>
<thead>
<tr>
<th>DATE</th>
<th>TIRE DESIGN</th>
<th>SIZE</th>
<th>AVG. WT</th>
</tr>
</thead>
<tbody>
<tr>
<td>01-03-89</td>
<td>ATX – SL531J</td>
<td>P235/75R15</td>
<td>30 Lbs</td>
</tr>
<tr>
<td>01-02-91</td>
<td>ATX – SL598J</td>
<td>P235/75R15</td>
<td>30 Lbs</td>
</tr>
<tr>
<td>07-08-92</td>
<td>ATX – SL598J</td>
<td>P235/75R15</td>
<td>30 Lbs</td>
</tr>
<tr>
<td>04-11-94</td>
<td>ATX – SR897J</td>
<td>P235/75R15</td>
<td>28.5 Lbs</td>
</tr>
</tbody>
</table>

According to Firestone, the weight loss was achieved by reducing the gauge of various internal components, modifying the sub tread compound, using a lightweight cell package, and making specific modifications to the tire sidewall. In short, Firestone removed weight from the tire by reducing its rubber and steel components. The tire was made lighter, less durable – and therefore, as defined below, less “robust” – and more susceptible to tread separations.

III. The Growing Tread Separation Problem

A. Early Knowledge

The tread separation problems of ATX tires on Explorers began not long after the SUV reached the consuming public in 1990, and both corporations have been setting lawsuits over the defective tires ever since, typically after securing agreements to maintain the confidentiality of company documents. According to the available records, the lawsuits were fairly sporadic until a tire weight design change was made in 1994. Following 1994, tire failures and crashes – including consumer deaths – mushroomed.
In an effort to improve tread wear and fuel economy, and in keeping with Ford's desire for an aggressive tire image, Ford again asked Firestone to redesign the ATX. In 1995, Firestone released a second-generation Wilderness AT design, a tire specifically designed to accommodate Ford's request for a truck-looking tire that performed like a passenger car tire. The tire was a standard load tire that incorporated virtually identical internal components as the ATX tire, but was equipped with a different, more aggressive-looking, tread pattern.

The Wilderness AT tire design did not incorporate internal components of the size and gauge that a tire expert would typically expect in a light truck tire because Ford specifically requested passenger car performance. The Wilderness AT tire was assigned a "C" rating for temperature/heat resistance, which is the lowest possible rating allowed under NHTSA's Uniform Tire Quality Grading System.

Within 12 months of production of the first Wilderness AT tire for use on the Ford Explorer, Firestone engineers were making a design change to a part of the tire called a wedge in an effort to improve durability and reduce the risk of tread separation. The following internal Firestone document reflects the percentage change in adjustment, warranty, data for tread separation problems in the mid-1990s [arrow added for clarity].

According to Firestone's internal records, as shown in the third row of the third column, reports of tread separations increased by 184 percent during the period covered in the document, some time after 1994.

IV. The Venezuelan Debacle

In 1997, Ford of Venezuela attended a meeting with lawyers there to discuss a rash of Wilderness AT tread separations and resulting Explorer rollover crashes. The problems included "mistakes" made by both Ford and Firestone that Ford has now admitted likely resulted in harm to citizens of Venezuela.

The Venezuelan scenario, and Ford's admissions in relation to its conduct.
there, are important for U.S. citizens because a significant number of the tires that failed in Venezuela were made at Firestone's Wilson, North Carolina plant. Those tires are precisely the same tires U.S. citizens are continuing to use on U.S.-made Ford Explorers, and have not been made the subject of any recall.

After 100 deaths and 400 crashes in Venezuela were linked to tread separations on Firestone tires (out of a total vehicle population of about 39,800), Ford offered to replace the tires on Explorers in Venezuela, Colombia and Ecuador.

V. The Saudi Arabian Fiasco

A few about the same time in 1997 that Ford representatives were actively meeting with lawyers in Venezuela about tread separation rollovers involving Wilderness AT tires and Ford Explorers, a virtually identical situation involving bad tires and Explorer rollovers arose in the Arabian Gulf Coast Countries and, in particular, in Saudi Arabia.

These vehicles and tires were designed and manufactured in the U.S. and exported to the Arabian Gulf Coast Countries. Eight reports of Explorer rollovers following tread separations in that part of the world got the attention of Ford's internal quality oversight committee, the Critical Concern Review Group (CCRG), led by Thomas Baughman of Ford. As the American public now knows, the Saudi Arabian situation resulted in a recall or, as Ford refers to it, a "Consumer Assistance Program" or "Dealer Notification Program" to remove the bad tires from the market there.

Firestone has denied responsibility for the crashes in Saudi Arabia, claiming: 1) that Firestone provided the tire that Ford had asked for in that market; 2) that "unique environmental conditions" of the Arabian Gulf Coast Countries, i.e., consumer abuse and extremely hot ambient temperatures combined to cause the tire failures; and 3) claimed that no design problem existed.

Representatives of Ford, on the other hand, have suggested that Firestone's position concerning the "unique environmental conditions" in Saudi Arabia is unsupported by the facts. In a deposition, Mr. Baughman clarified this disagreement between the companies as follows.

20 Q. You made a comment to Firestone's lawyer, just a minute ago, about a concern that was raised at Ford Motor Company about Firestone's explanation for the 16-inch Wilderness tire failures in Saudi Arabia; is that correct?
21 A. Yes.
22 Q. Would you explain what you mean by that?
23 A. I was told by the people who accompanied the Firestone employees to Saudi Arabia during the investigation that the 16-inch tires that they saw were tires that had failed. There was no evidence of a tire repair ever having been conducted to the tire; and when they interviewed the employee of the dealership, who owned the tire, he steadfastly claimed that the vehicle had never been modified off-road; he never drove it at high speeds, he only took it back and forth to work, and he had never operated the vehicle with the tire being underinflated. So there was a disagreement as to whether or not those unique operating circumstances totally described the population of failures that were seen in
13 Saudi Arabia. Not to say that it didn’t describe most of
14 the failures, it just didn’t describe all of the failures.
15 Q. So there were failures that Ford Motor Company became
16 aware
17 of in Saudi Arabia involving P235/70R16 Wilderness AT tires
18 made by Firestone that were not explainable by reference to
19 these unique environmental circumstances?
20 MR. WOODROW: Objection, lack of foundation.
21 THE WITNESS: If you accepted that the statement
22 by the people being interviewed was 100 percent factual,
23 then yes, it was not fully explained by the unique
24 environmental operating conditions there.

Upon further questioning, Mr. Baughman agreed that the so-called “unique environmental conditions” that allegedly existed in the Arabian Gulf Coast Countries were no different than the conditions in certain areas in the U.S. — conditions that, not surprisingly, correlate with the geographic concentration of current tire failure-related death in the south and southwestern United States in data maintained by NHTSA.

Once a decision was made by Ford to remove the Wilderness AT tires from the market in the Arabian Gulf Coast Countries, a decision was made by both Ford and Firestone to conceal that action from NHTSA. Although both Ford and Firestone have repeatedly back-peddled from the clear and unequivocal language contained in the companies’ internal documents that were produced to Congress, the record is crystal clear that both companies knowingly considered the ramifications of federal notification of a recall in the Arabian Gulf Coast Countries on tires sales in the U.S. and consciously chose to withhold from the American public the information concerning a recall.

In a deposition, Ford representative Mr. Baughman was unable to provide a clear answer to the question of why the risk posed by the tire/vehicle combination was not quickly shared with NHTSA and the American public in view of the fact that the identical tires were being operated under virtually the same or identical conditions within parts of the United States.

VI. Firestone Reacts to the Tread Separation Problem

Although both Ford and Firestone have maintained in response to the public outrage over this tragic safety problem that the danger to consumers was a “surprise,” litigation-related discovery of internal company documents has started to flesh out the truth. In fact, Firestone knew of the tire separation problems and took action to fix the design of Wilderness AT tires that were repeatedly peeling apart on Ford Explorers.

On September 21, 2000, The Washington Post reported that Firestone had modified the design of the Wilderness AT tire in 1998 by widening a piece of rubber, called a “wedge,” located between the two steel belts of the tires. While in the midst of Congressional hearings on the Ford/Firestone issue, the Post reported that Firestone spokesman Dan Adamitis said the 1998 wedge redesign was not designed to eliminate a particular problem: “This was part of our continuous improvement program,” he said. “That was not in response to some specific problem with Explorers or even the [recalled tires], for that matter.”

However, subsequent litigation-related discovery has revealed what appears to be a significant difference between the facts as they actually occurred and those
reported by Firestone in the heat of questioning at the Congressional hearings in Washington. According to the deposition testimony of Firestone employees, the newer "wedge" redesign was incorporated into tires produced in 1998. Due to the lag time between design and production, the tire redesign must have begun some time before 1998.

In contrast to their public statements, the evidence demonstrates that the redesign was actually initiated by Firestone as a result of tire failure warranty claims, called adjustments. Firestone's adjustment data that indicated tread separation problems were on the rise. The redesign was aimed at increasing durability and was focused on tread separations that specifically involved sport utility vehicles. Given Firestone's unique position as virtually the sole tire supplier for the highest selling SUV model—Ford's Explorer—there can be little dispute that the redesign was designed to solve a growing problem associated with this specific combination of tire and vehicle.

In a deposition, Michael Reep, a Firestone engineer, initially tried to explain the wedge redesign as having occurred because Firestone was "learning" that consumers were beginning to use larger passenger tires on light trucks like the Ford Explorer. The implication was that these tires were originally designed for use on passenger cars and not on SUVs. As further questioning revealed, however, the Wilderness AT, the tire in question, was specifically designed by Firestone as original equipment for the Ford Explorer, a light truck/SUV.

20 Q. When this tire, this Wilderness AT tire was created,
21 A. Mike, this was created for use on a light truck,
22 wasn't it?
23 Q. This tire was created primarily for the Explorer
24 in this particular size. At that time sport utilities were kind of a new and emergent market,
25 A. At that point in time from the load-carrying
capacity and overall usage of the vehicle, passenger
style tires with some revisions were deemed good
4 tires for that type of vehicle.
5 Q. I'm a little bit confused. What I'm trying to make
6 sure I'm clear on is, why it is that if the change
7 -- when you were increasing the wedge, these areas
8 right in here, if you were doing this because you
9 realized or somebody at Firestone realized people
10 using these kinds of tires on light trucks, why
11 didn't you originally design the wedge that way
12 because this tire was specifically designed for
13 light truck, wasn't it?
14 A. The Explorer is a light truck, right?
15 Q. The Explorer is a light truck. At the time it was
16 introduced its usage was going to be considerably
17 different than a pickup truck. It was going to be
18 kind of a dual purpose vehicle carrying more people
19 and some cargo as well.
20 A. So we made some changes into the actual
21 tread pattern itself to make it more conducive to
22 light truck usage but at that time it did not appear
23 necessary to go beyond normal passenger tire design
24 standards.
The essence of Mr. Reep's testimony, when confronted with the fact that the Wilderness tire was specifically designed for the Explorer, is that Firestone designed the Wilderness tire using "passenger tire design standards," i.e., thinking that passenger car standards would suffice for the types of uses that Ford expected from its Explorer customers. When Firestone learned of the problems generated by the use of this hybrid tire on the Explorer, Firestone decided that it better go back to the drawing board. Take out the "passenger tire" wedge and replace it with a "light truck" wedge to increase durability. Mr. Reep further testified as follows:

19 Q. That's why that these wedges right here were not made like you typically made your light truck tire wedges, right?
20 A. Yes. At that time it was decided and tested that that gauge of wedge would in fact be more than suitable for this particular usage.

Brian Queissar, another Firestone tire engineer charged with responsibility for the Wilderness AT tire design, has stated that adjustments data--many involving actual tire tread separations in the real world--were the impetus for the redesign of the "wedge" for the 1998 model of the Wilderness tire. Mr. Queissar's testimony is as follows:

17 Q. But somehow it got into the system and the Quality Assurance people came over to the technical people and this change was made to the wedge in the terms of dimensions for not only the P235/75R15 but other lines of tires as well, correct?
22 A. Other lines and other sizes. And again, I think you need to understand, it's important to understand in the context as far as adjustments go, we are tracking--my understanding we are tracking adjustments lower and lower and lower every year.

In the tire business, I believe differentiating yourself in the market--there's obviously marketing concerns but there's also customer satisfaction and word of mouth and you want people who have your tires and buy your tires to be satisfied with them and continue to buy. So this type of change if it's going to improve customer satisfaction, I believe that's one of the reasons why they did it.

11 Q. Because that kind of change we're talking about in the context of customer satisfaction means less tires failing and less people complaining, hopefully at least?
15 A. You want to minimize customer complaints and you want them to be happy, whatever it takes.

Both Ford and Firestone repeatedly use the phrase "robust" in describing the proper design of a tire for consumer usage. Firestone engineer Brian Queissar provided a definition of "robust" in this context.
Q. Do you design tires to have a robust design?
A. Absolutely.
Q. What does that mean?
A. Robustness?
Q. In the context of tire design, what does it mean?
A. It can mean a lot of things to a consumer.
Q. Let me interrupt. Not from a consumer standpoint.
A. I want to know from a tire engineer's standpoint, from Firestone's standpoint.
Q. What is a robust tire design?
A. A robust design would be a design that meets the objectives of the customer and assures the customer satisfaction for whatever it may be and robustness is associated with tire wear and tire durability and a lot of other things with respect to the tire from when it's new to when it's worn out and discarded.
Q. For the life of the tire?
A. For the life of the tire.
Q. What is the expected life of a Wilderness AT tire?
A. That's probably varies. I'm not certain of what our marketing expected requirements are.
Q. Can you give me a range?
A. A tire like this, I think the average customer would expect the tire to be a 40, 50,000 mile tire, maybe higher depending on their expectations.
Q. Does robustness include good strength and durability in a tire?
A. Yes.
Q. Does robustness include the ability to perform safely and appropriately given the loads to which the tire was designed?
A. Yes.
Q. Does robustness include having the right components, a mix of components to withstand the expected forces given the loads that are going to be applied to it?
A. The components themselves are -- there's an individual robustness associated with components but I think that the robustness associated with the tires -- it's a combination of all those things put together.
Q. It's a combination of the dimensions of the various components that are used in a tire --
A. The components that go into it, the size that it is and what's used on. Those are all variables associated with the tire robustness.
Q. Some of those factors would be things like the dimensions of the compounds, layers of the tire, type of steel cord, dimensions of the steel cord,
8 how much rubber is in the tire and those kinds of
9 things?
10 General factors, yes.

From the evidence, it appears that both Ford and Firestone knew, long before
1999, that the Wilderness AT tire being used on the highway was not “robust” for use
on the Ford Explorer and that the resulting tread separations were directly related to
tire design. Ford’s quality control officer Tom Baughman stated:

2 Q. And let’s put a range on a small amount.
3 A. That’s really difficult because we’ve looked at lots of
4 tread separations from tires that have been returned. We
5 have simulated tread separations on a rig data and run
6 those tests and swept various psi range, and that data’s
7 encompassed here. We start to see differences in the way
8 the tires perform with differences as small as 3 psi. We
9 see the failure mechanism sometimes change, predominantly
10 the failures of blowouts, and suddenly predominately the
11 failures become tread separations, but it seems to vary
12 with manufacturer or tire manufacturer. And it’s my
13 opinion that the Firestone 15-inch tires are not robust
14 against variations and inflation pressure and in operating
15 condition, load and speed.
16 Q. And the tires you are talking about are not robust, include
17 all Wilderness AT 15-inch tires and 16-inch tires?
18 A. I think my statement would be more strongly focused at the
19 15-inch tire than the 16-inch tire. Our evaluations of the
20 16-inch tire would suggest those tires by design, whether
21 intentional or by luck, run cooler than the equivalent
22 15-inch tire at the same operating conditions. [emphasis added]

Given the catastrophic nature of the safety problem faced by the consuming
public with the lethal combination of Ford Explorers and Firestone tires, the foregoing
admissions by Ford and Firestone raise serious questions about the legitimacy of the
positions asserted by these two companies in defense of the limited recall. In
addition, the cumulative evidence suggests that both companies repeatedly made
design changes in the tire based upon their developing record of consumer
experiences and complaints.

VII. The Story Breaks—Ford and Firestone Blame Each Other While the Record
of Deaths and Injuries Increases

As consumer complaints and injuries stacked up around the world, both Ford
and Firestone sought first to blame tread separations on a peculiar set of
circumstances, what it termed “unique regional usage patterns and environmental
conditions.”

As they had in the past, the corporations also blamed consumers, contending
that the inordinate number of tread and belt separations should be attributed to
various combinations of factors such as: 1) excessively loaded vehicles; 2)
excessively hot climates (e.g., Saudi Arabia, Venezuela, West Texas, Arizona); 3)
high speeds, 4) tires that had been deflated for better traction on desert sand and
then never re-inflated properly for highway use, or, alternatively, 5) tires that were
being operated in an under-inflated condition by unsuspecting consumers who were
too lazy to check their tire air pressure.
Although the two corporations initially stood side by side in a display of unity, the public outrage that ensued after media exposure of the problems led both eventually to hurl blame at each other in public. Ford insisted that the problem was a "tire problem." Although slow in responding, Firestone countered by insisting that it was a "vehicle problem," citing the performance of its tires on vehicles made by other companies. Consumers were caught in the middle, as they were repeatedly assured that their tires were "safe" and that they had no reason for concern, even though Firestone was now recommending a tire recall due to a "tire pressure" issue contrary to Ford's opinion that its tires be operated at no less than 30 psi.

By November 2000, Firestone's Chief Executive Officer, John Lampe, conceded that both tire and vehicle were implicated. "The performance issue with the tire," he said, "ultimately will be the cumulative effect of tire design, tire components and the interaction of the tire with the vehicle." Both Ford and Firestone still maintain, however, that they have isolated the problems on 1996 and later model years to those 15-inch Wilderness AT tires that were produced in the Decatur, Illinois plant. Although both corporations said they did not know the "root cause" of the tire failures, they assured the public that the cause was isolated in Decatur, as originally claimed, because a disproportionate number of tires made there were involved in damage claims. Neither offered a plausible explanation of why this was so.

VIII. The Recall Should Be Expanded

On August 9, 2000, prior to any findings about the "root cause" of the problems, Ford and Firestone limited the recall to only a subset of the Wilderness AT tires that had been produced and put onto Ford Explorers. Specifically, Ford and Firestone chose to recall only those Wilderness AT tires manufactured at Firestone's plant in Decatur, Illinois. To everyone's surprise, Ford and Firestone proposed replacing the bad Wilderness AT tires with Wilderness AT tires made at plants other than Decatur. The reasoning underlying this decision included the following:

"Company officials said they do not know the cause of the problem, but are confident that whatever the problem, it is isolated to the tires being recalled."

In other words, although both companies claimed ignorance as to what was causing the tread separation problem, both assured the American public that whatever the problem, it was limited to the Decatur plant. When pressed on the issue, the companies responded as follows:

Ford and Firestone officials, however, said their data, some of which was released this past weekend, show that only 15-inch Wilderness tires made in Decatur showed higher-than-normal numbers of tread-separation problems.

Independent analysis challenges Ford and Firestone's conclusion that only ATX and Decatur-made Wilderness tires are defective. The following briefly summarizes what an enlarged analysis reveals:

NHTSA complaint data show non-recalled tires should be recalled.

Notwithstanding Ford and Firestone's public statements regarding the safety of non-recalled Wilderness AT tires, information available from NHTSA data reveals that 97 percent of the consumer complaint letters received by the agency, containing sufficient detailed information, concerned tires that have not been included in the recall.
Complaints Received By NHTSA
Firestone Wilderness Tire Failures

The information above is derived from the NHTSA database as of December 6, 2000, which contained a total of 4,308 incidents. SafetyForum.com determined that, of the 4,308 complaints, 1,094 Wilderness tire complaints included enough information to ascertain whether the tire involved had been included in the recall. Of the 1,094, 1,060 were non-recalled Wilderness tires and 34 were recalled Wilderness tires. Of the 1,060 non-recalled Wilderness tires identified, the production plants divide as follows: 16 were from Aiken, SC; 7 from Oklahoma City, OK; 155 from Joliette, Canada; 363 from Wilson, NC; and 456 were from unknown plants.

Of the 1,094 Wilderness tire complaints, 336 can be clearly identified as Wilderness AT P235/75R15 (15-inch) or Wilderness AT P255/70R16 (16-inch) tires. The Firestone plant of origin can be determined for 246 Wilderness AT tires. Of these, NHTSA has 125 reports of the tires made in Wilson, North Carolina (51%), 73 reports of tires made in Canada (30%), 38 reports of tires made at Decatur (15%). The remaining 4% were made at the Oklahoma City or Aiken South Carolina plants.

These Wilderness tire complaints produce a picture that underscores the Firestone and Ford claim that the bulk of failures occur in the Decatur-made Wilderness tires. In fact, failures of Wilderness AT tires produced at Firestone's other facilities have been reported to NHTSA six times more than failures of tires made in Decatur (86% vs. 14%).
The design of the non-recalled tires is identical to that of the recalled tires.

Firestone has conceded that all 15-inch and 16-inch Wilderness AT tires are identical by design. As stated by Robert Martin, Firestone's head of Quality Assurance:

Q: When we talk about these different plants and the tires being made in different plants, just to make sure everybody is crystal clear on this, each of those plants is making, for instance, if they're making the Wilderness AT P235/75R15, they're making the same tire. They're not making a different design tire in one plant than they are in the other plant. It's the same design basically, isn't it?
A: Yes, it is.

Not only did Ford and Firestone intend for all of the tires to be virtually identical from a design and manufacturing standpoint, Firestone was required to - and did - provide Ford with documentation verifying that all Wilderness AT tires, regardless of the plant of manufacture, were identical in both dimension and performance.

Decatur production is not the sole problem.

Although Ford attempted to lay blame directly at the doorstep of the Decatur plant alone, Firestone defended its plant with the following statement: "We are confident in the quality of our tires and in the effectiveness of our inspection processes at the Decatur, IL plant and at all of our plants." Despite Firestone's confidence in Decatur, both Ford and Firestone limited the recall of Wilderness AT tires to Decatur-made tires and demonstrated their reasoning using the following graph, which depicts properly claims sorted by the plant of tire production.
This chart is solely based upon Ford's analysis of Firestone "property damage claims data" and does not include data from litigation-related claims, Firestone warranty or tire failure claims, called adjustments, or consumer complaints.

Both Ford and Firestone have claimed that a "pelinizing" process is used at Decatur to coat the steel belts with rubber is a "likely" source of some adhesion-related problems in the Decatur-built tires. Although the companies point to this process as a factor that appears to distinguish Decatur from the other plants, both now likewise concede that the adhesion characteristics of Decatur-made tires within the specifications created for these tires, and so should have the same level of durability on the road as other tires built by Firestone for use on Ford Explorers.

There may be some validity to the suggestion that pelinizing does result in less adhesion than other available manufacturing methods. But because that the adhesion characteristics of tires produced in Decatur were within Ford and Firestone specifications, it seems likely that Firestone's use of the pelinizing process in Decatur cannot fully explain this particular demonstration in differences in tire performance as to property claims.

Then what factors might explain the over-representation of Decatur-made tires in the damage claims data cited by Ford and Firestone? Decatur may appear to be over-represented in terms of tire failures for some of the following reasons:

Firestone representatives testified that the failure rate for Decatur-made tires is likely the result of the fact that more Decatur-made tires ended up on vehicles provided to the south and southwest regions of the United States, which represent the areas of the U.S. where tread separations of the tires are more concentrated. Litigation claims tend to confirm this distinction. For example, Decatur-made tires were on 83 percent of St. Louis-produced Explorers involved in lawsuits, but only 42 percent of those built in Louisville, Kentucky. Ford publicly disagrees with Firestone's conclusion.

Decatur was Firestone's oldest plant and is commonly referred to as a "short-run" plant. Industry insiders note that "short-run" plants — plants that make tires for short as opposed to long runs of production — are historically over-represented in terms of adjustments and claims. The increased rate of failure is based on: a) unfamiliarity with the production process; b) lack of continuity in the production process; and c) the lack
of time necessary to obtain good uniformity in the production process.

A well-publicized labor strike at the Decatur plant likely played a role in the increased frequency of failure rates with Decatur tires. Although Firestone has repeatedly denied a relationship between the strike and the increased failure rate in tires, common sense suggests that the strike very likely was a factor, albeit small, in the increased rates of failure.

If pelleting were the cause of the problem, then other tire brands produced at the Decatur plant should have similar failure rates. There is no evidence that this is the case.

The companies’ own design analysis shows that there is a common pattern in all of the tire failures.

All of the tires, regardless of their plant of manufacture, have a common pattern of failure. Representatives of Ford Motor Company now concede that the tire failures in question do form a common pattern, and that the ATX and Wilderness tires, including the 15-inch non-Decatur, non-recalled tires, are not “robust,” meaning that these tires are failing in the same manner due to a design flaw across the group.

Although Ford and Firestone continue to maintain that the “root cause” of the failures has not been formally identified, the forensic evidence that has been released to date does indicate a common pattern of failure:

Internal Ford records indicate a pattern of failure in the area described as the “wedge.” The “wedge” is designed to provide increased durability at the tire’s belt edges.

Internal Firestone records from forensic inspections of failed tires in both the U.S. and Arabian Gulf Coast Countries pinpoint problems in the “wedge” area of the failed tires.

Firestone employees have conceded that the “wedge” used in the original Wilderness AT tire was a “passenger car-type wedge” as opposed to a “truck-type wedge,” despite the fact that the Ford Explorer is built upon a light truck chassis.

Firestone employees have conceded that the “wedge” of the Wilderness AT tire – along with other similar tires – was redesigned for the 1995 model year due to a review of tire tread-separation failure claims and adjustments, and that the tire was redesigned, with a stronger, more durable “wedge” in hopes of reducing the risk of tread separation.

Although the public has yet to receive a final report, the foregoing is further supported by Firestone’s retained “consultant,” Sanjay Govindjee, a professor from California, who issued preliminary findings that included the following statement: “All evidence to date points to a slowly developing fatigue crack.” The crack he described included fatigue in the area called the “wedge,” which spread to the area between the steel belts. Professor Govindjee reported no differences among tires from different plants.

The statistical data relied upon to support the limited recall is incomplete and may be flawed.
In the discussions on the scope of the recall in the U.S., Ford and Firestone have repeatedly retreated to statistical analyses in defending their refusal to recall additional tires. Although Ford now concedes that the non-recalled Wilderness AT tires are not "robust" and are therefore susceptible to failure when operated within foreseeable conditions, Ford and Firestone continue to defend the decision to allow consumers to use the tires.

Ford and Firestone based their statistical analyses on "property damage claims" information produced by Firestone. According to Firestone, the "property damage claims" data have never before been used by the company to evaluate the real world performance of its tires. According to Ford, the claims data, albeit limited to less than 2,000 incidents of failure, is "more reliable" than the usual method used by Firestone -- a adjustment data or warranty claims data -- to evaluate field performance. Ford claims, at least to date, that it is unable to understand the manner in which Firestone "codes" customer complaints at dealerships.

Adjustment claims, which number in the thousands, represent much broader sources of information. These data include customers who show up at Firestone dealerships across the country with a tread-separated tire that did not cause an incident which resulted in property damage or personal injury. Additionally, Ford and Firestone originally included only property damage in their analyses, omitting any evaluation of litigation-related claims involving personal injury. In this instance, the information regarding their own litigation is of course readily available to both companies.

Another potential problem with Firestone's internal claims data that Ford has not publicly acknowledged is a concern about the reliability of the property damage claim information provided by Firestone. As Tom Baughman of Ford testified, Ford has no way of determining whether the data that it relied upon has been "manipulated" or is incomplete in some manner.

22 That is fact. I mean, unless the databases in some way
23 have been manipulated to not portray the correct situation
24 and I can't be a judge of that, it is Firestone's database
25 as provided to me. But if that database is factual then
1 the facts are that statistically those tires are performing
2 at what is almost of sixth sigma level of capability, if
3 you are familiar with.

Mr. Baughman also stated that the Firestone property damage database that Ford relied upon does not include highly relevant tire failures from the warranty, or adjustment, data, a source that neither Ford nor Firestone have shared with the American public nor included in their own analyses. In fact, the only, very weak, explanation for Ford's failure to analyze the warranty claims data is that Ford has a current interest in the performance of tires made at Decatur that are other than ATX or Wilderness AT brands. Obviously, Ford could have looked at Firestone warranty data in addition to analyzing information regarding these other Decatur-made tires. But this is not what Ford chose to do:

Q And you don't think it would be important if there are
another 50,000 tread separations in the adjustment database
over and above your 1,703 to evaluate how frequently these
22 tires are, in fact, coming apart in the real world?
1 THE WITNESS: I think your suggestion is
2 undoubtedly a good one, okay. There is probably some
3 insight to be gained by doing that analysis. Quite
4 frankly, we are much more interested in understanding the
Ford and Firestone have stonewalled the use of any real world warranty litigation or consumer complaint data to fully evaluate the safety performance of the non-recalled Wilderness tires. Regardless of their rationales, however, what cannot be overlooked is that the American public has been—and is being—told that the non-Decatur Wilderness tires are “safe” for use on America’s highways. This is unconscionable given Ford’s admissions that the Wilderness AT tires are not “robust” and have little or no built-in safety margin for low tire pressure, heavy vehicle load or the possibility of rollover.

The same 16-inch tires recalled in Saudi Arabia should be recalled in the U.S.

Ford and Firestone have refused to recall P255/70R16 Wilderness AT tires in the U.S. despite the admission that the identical tire was the subject of a voluntary recall-type campaign in the GCC countries, including Saudi Arabia. The 16-inch tires failing in the Arabian GCC countries were manufactured in the U.S. and are identical in design to those sold in U.S. Explorers.

When Ford learned of tread separations and rollovers in Saudi Arabia in 1997, they consulted Firestone to determine why the tires were failing. Firestone blamed the problem on “unique environmental problems,” including consumer usage and high-operating-heat conditions. Ford chose to conduct a voluntary campaign to replace the tires. Ford now conceives that Firestone’s claim of “unique environmental conditions” did not explain all of the tire failures occurring in the Arabian GCC countries. Mr. Baughman testified as follows:

Q: So there were failures that Ford Motor Company became aware of in Saudi Arabia involving P255/70R16 Wilderness AT tires made by Firestone that were not explainable by reference to these unique environmental circumstances?

THE WITNESS: If you accepted that the statement by the people being interviewed was 100 percent factual, then yes, it was not fully explained by the unique environmental operating conditions there.

Evidence shows that 16-inch Wilderness tires are failing in the U.S. as well. Using NHTSA’s database, analysis shows that of the 1,030 non-recalled Wilderness tires that failed, almost one-third (330) involved 16-inch Wilderness tires.

Similarly, an analysis conducted by Ford of Venezuela of a random sample of 367 Wilderness AT tires revealed that 16-inch tires—subject to recall in the U.S.—had a worse failure record than 15-inch tires: tread separation of an inch or more was found in 16 percent of the 15-inch tires but in 21.7 percent of the 16-inch tires.
Litigation claims data further support the need for an expanded recall.

As of December 2000, information has been collected on 276 lawsuits that involved Firestone tires. Sixty-one percent of the cases (161) had sufficient information to identify the tire model, size and manufacturing plant. Thirty-nine involved Wilderness AT tires, more than one third (14) of the 39 tires would not have qualified for the Ford-Firestone recall.

The numbers of potentially-affected tires may be inaccurate.

Firestone's record relating to the production volume of the tires at issue is unclear. Early figures released by the NHTSA indicated that approximately 47 million tires were under investigation.

More recent numbers indicate that may have been an over-estimation of the relevant number of tires. In an August 9, 2000, press release, Firestone stated that the recall of ATX, ATX II and Wilderness AT tires included 14.4 million tires, approximately 6.5 million of which were still in the marketplace. Those 6.5 million tires purportedly included 3.8 million ATX and ATX II tires and 2.7 million Decatur-made Wilderness AT tires.

According to data produced by Firestone to Congress, Firestone produced 10,850 333 P235/75R15 ATX II tires between 1991 and March 2000, and 8,887 362 P235/75R15 Wilderness AT tires between 1995 and March 2000. Assuming that the Firestone documents filed with Congress are accurate, total production for P235/75R15 ATX II and Wilderness AT tires is 19,837,301 for the period 1991 through March 2000. Based on these numbers, 5,617,286 P235/75R15 Wilderness AT tires were manufactured by Firestone between 1995 and March 2000, none of which are subject to the recall.

Production volume of P235/75R15 Wilderness AT tires has not been publicly released by Firestone to date. Firestone has previously represented that only ATX II and Wilderness AT tires were placed on Ford Explorers. Why ATX tires – as opposed to ATX II tires – were included in the recall is unknown as is the production volume associated with these tires.

VIII. Conclusion

The authors of this report, alongside victims and the victims' family members who support these efforts, continue to advocate for the recall of the remaining Wilderness AT tires, both 15- and 16-inch, that were produced for the Explorer. The overwhelming weight of the evidence supports this expansion of the recall before more consumers are placed at risk and harmed by the combination of bad Firestone tires on dangerous Ford vehicles.

Appendix A

The following are selected milestones in the history of the Ford-Firestone tire problem:

May 1, 1987 - A Ford internal memo states that the stability of the Ford Explorer prototype is worse than that of the Bronco II.
November 25, 1988 - A Ford Test Report states that the Explorer lifts two wheels off the ground in a cornering test at 55 miles per hour (an action not unlike what might happen when a tire fails and control of the vehicle is wrenched from the driver’s hands). The report blames the SUV’s high center of gravity, front suspension system and tires.

January 26, 1989 - In another internal memo, Ford engineers state that the Explorer still lifts two wheels at 55 mph, despite 'larger tires' 'suspension revisions and tire pressure reduction' to limit its 'cornering capacity'.

February 9, 1989 - A tire-testing firm reports to Ford that certain Firestone tires being considered for use on the Explorer showed a severe 'tread package' separation from the tire carcass at 29 psi of pressure. Firestone subsequently modifies the test procedure, re-runs the tests and concludes that its testing used a more realistic procedure and we don't think it will be a problem.

September 11, 1989 - In an internal email, Ford's Office of General Counsel raises concerns that the Explorer is the only vehicle of its type that has a significant chance of failing the C.U. (Consumer's Union) rollover test. One of the chief engineers on the program states that 'I believe that management is aware of the potential risk w/P225 (Firestone) tires and has accepted risk.'

February 1990 - Despite warnings from its own engineers, and in order to meet production deadlines and avoid losing profits, Ford management rejects two of four design modifications recommended to improve the Explorer’s stability, one of which included widening the track width. (Although Ford says it will make the other modifications in later model years, the automaker later admits the 'running changes' were never made.)

March 1990 - The Ford Explorer goes into production. Engineers recommend that Ford immediately begin redesigning the Explorer’s suspension system for the 1995 model year to allow lowering the engine and, thus, the SUV’s center of gravity. Management again refuses to fix the Explorer’s rollover problem because of ‘timing and cost’ considerations.

June, 1990 - Concerned that increased rolling resistance from lowering tire pressure is giving the Explorer worse fuel economy than its competition, Ford and Firestone start redesigning the tire, including reducing its weight.

February 12, 1991 - The first tread-separation lawsuit is filed against Firestone. Three more are filed in the spring of 1992.

1996 - Wilderness tires go into production and replace ATX tires as original equipment on Explorers and other Ford-made SUVs and light trucks to correct deficiencies in the ATX tire’s rolling resistance and tendency to wear poorly. Internal documents indicate that one goal is to increase tire pressure above 26 psi, but Ford also learns that 26 psi is still needed to keep the SUV’s wheels from lifting off the ground in emergency turns.

July 12, 1996 - The Deputy Yuma County (Arizona) Attorney advises
local law enforcement officers that Firestone ATX Firehawk tires are experiencing tread separation. "Firestone is aware of the problem and will be replacing tires where needed. (A shipment of tires is currently on its way for various sheriff's vehicles.) It is strongly recommended that you do not drive vehicles equipped with these tires at 'freeway speeds' (or at all, if possible) until you have them... evaluated.'

August 19, 1996 - A dealership in Danbury, Conn., reports to Ford that it has 16 Explorers with tires whose belts are 'obviously distorted and about to separate.'

August 1997 - As lawsuits accumulate in the U.S., Ford and Firestone are notified of tire separation problems in Saudi Arabia.

January 1998 - Ford's regional marketing manager in the United Arab Emirates e-mails Ford executives: "If this is a single case, I would accept Firestone's response as they are the experts in the tire business, case closed. However, we now have three cases and it is possible that Firestone is not telling us the whole story to protect them from a recall or a lawsuit.'

June 24, 1998 - An internal Bridgestone/Firestone memo acknowledges that in 1997, tread separations accounted for 92.8 percent of all ATX II tire claims and 53.6 percent of all Firestone light truck claims. It states that the tires' warranty claims jumped from 42 in 1995 to 279 in 1997, an almost sevenfold increase, and that by 1998, tread separations accounted for 469 light truck claims, compared to only eight claims attributed to road hazards.

July 22, 1998 - A State Farm Insurance research administrator emails NHTSA that the insurer knows of 21 Firestone ATX tire failures that caused injuries, 14 of them on 1991-1995 Fords. NHTSA dismisses the problem as ''unremarkable.'

October 24, 1998 - A Saudi Arabian Ford dealer writes Firestone to complain that he is being "kept in the dark" about his warranty that tires are unsafe. "As you know, this concern goes back to mid-1997 when we first notified you." I have to state that I believe this situation to be of a safety concern, which could endanger both the vehicle and more importantly the user of the vehicle. So I am asking what is going on? Do we have to have a fatality before any action is taken of this subject? I would recommend to ensure that we do not have any further incidents regarding tires that Firestone recall all 1995/1996/1997 Explorers fitted with this type of tire, as this is a safety related concern.'

January 27, 1999 - A memo from Venezuela Firestone to the corporation's Nashville office reports 47 tread or belt separations.

February 14, 1999 - Yet another tire tread separation in Saudi Arabia causes the dealership to write Ford that the dealer will not accept any liability whatsoever for any vehicle or human damage caused by any accident, over any time frame, that is the result of thread [sic] separation of this nature.'

August 17, 1999 - After 19 rollover crashes, 14 fatalities and 10 injuries in the Middle East, Ford begins replacing all Wilderness 16-inch tires on about 6,800 Explorers and Mountaineers in nine countries: Saudi Arabia, Bahrain, Egypt, Jordan, Kuwait, Lebanon, Oman, Qatar and the
United Arab Emirates. Ford insists it is not a recall but a 'customer notification enhancement action' and blames 'unique usage patterns, environmental conditions and maintenance practices' for tread separations.

February 2000 - Ford offers free replacement tires for vehicles in Malaysia and Thailand. Meanwhile, briefing charts at a Firestone sales meeting in the U.S. warn that tread separation reports involving Wilderness tires jumped 144 percent from 1998 to 1999.

February 7 and 10, 2000 - KHOU-TV, the CBS affiliate in Houston, breaks the story of numerous deaths and lawsuits attributable to tread separations of Firestone tires on Ford Explorers. The media coverage unleashes an outpouring of consumer complaints to NHTSA.

March 6, 2000 - NHTSA opens a preliminary investigation.

May 2000 - After 100 deaths and 400 crashes in Venezuela have been linked to tread separations on Firestone tires (out of a total vehicle population of about 35,000), Ford offers to replace tires on Explorers in Venezuela, Colombia and Ecuador.

May 2, 2000 - NHTSA opens a formal investigation into 47 million Firestone ATX, ATX II, and Wilderness tires.

August 9, 2000 - Firestone announces it will recall the 6.5 million 15-inch tires of the ATX, ATX II, and Wilderness AT series that it estimates are still on the road out of the 14.4 million manufactured. It limits the Wilderness tires to those made at its Decatur, Illinois, plant.

Appendix B

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<th>DATE</th>
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<th>TIRE BRAND</th>
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<th>SIZE</th>
<th>FAILURE</th>
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<td>Separation</td>
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*All found in NHTSA's Consumer Complaint Database

Footnotes

1. Approximately three weeks after the recall was announced, NHTSA asked Firestone to expand the recall to include other tires because of the consumer complaints that the agency had received and the early results from its own defect investigation revealed that other models were experiencing similar incidents.
that exceeded those of the recalled tires, sometimes by a large margin. Firestone refused to expand the recall. NHTSA responded by issuing a "consumer advisory" designed to warn consumers that about 1.4 million other Firestone tires, about half of which were still on the road, were experiencing high tread separation rates, many of them other models of ATX and Wilderness tires made in the early 1990s. After being drubbed during congressional hearings the following month, Firestone promised to replace the tires listed in NHTSA's consumer advisory at the consumer's request, but still refused to expand the scope of the recall. The burden of requesting that tires listed in the consumer advisory be replaced fell upon the consumer.

2 See Firestone press release dated 12-19-00.
4 Deposition of Robert Martin, Vice President, Quality Assurance, Firestone [11-27-00].
5 Deposition of Robert Martin, Vice President, Quality Assurance, Firestone [11-27-00].
6 Deposition of Michael Repp, Design Engineer, Firestone [12-13-00].
7 Deposition of Roger Simpson, Explorer Program Manager, Ford Motor Company [11-14-00].
8 Deposition of Roger Simpson, Explorer Program Manager, Ford Motor Company [11-14-00].
9 The Blazer was found to perform poorly in the maneuver when equipped with OE P205/55R15 tires in that the wheels of the vehicle would not lift off the ground. Ford's finding was consistent with independent testing previously conducted by Roger McCarthy of Failure Analysis. Mr. McCarthy had undertaken a decades' long study on rear suspension failures and had concluded that the Chevy S10 Blazer, Jeep Cherokee and Jeep Wrangler could not be made to lift wheels in the CUV maneuver regardless of steering input.
10 Deposition of Don Tandy, Engineer, Ford Motor Company [3-20-00].
11 Deposition of Don Tandy, Engineer, Ford Motor Company [3-20-00].
12 Lawyers representing victims of rollover crashes involving the Explorer have been unable to independently evaluate Ford's contention that it met the internal rollover standard because the key documents surrounding the test -- the wheel lift charts, both input and output -- were destroyed, allegedly shortly after the simulations were conducted.
13 Deposition of Roger Simpson, Explorer Program Manager, Ford Motor Company [11-14-00].
14 Deposition of Roger Simpson, Explorer Program Manager, Ford Motor Company [11-14-00].
15 Deposition of James Burdette, Fuel Efficiency Engineer, Ford Motor Company [12-21-00].
16 Deposition of James Burdette, Fuel Efficiency Engineer, Ford Motor Company [12-21-00].
17 Deposition of James Burdette, Fuel Efficiency Engineer, Ford Motor Company [12-21-00].
18 Deposition of James Burdette, Fuel Efficiency Engineer, Ford Motor Company [12-21-00].
19 The analysis was conducted by Ford due to the wheel lift problem referenced in the text of the report. These are included as part of the historical overview of the attempts to modify the lift to accommodate the fuel economy problems/concerns.
20 Deposition of James Gardner.
21 A chronology of significant events in the 12-year history of the Ford-Firestone tire defect is included at Appendix A.
22 Deposition of Michael Repp, Design Engineer, Firestone [12-13-00].
23 Deposition of Michael Repp, Design Engineer, Firestone [12-13-00].
24 Deposition of Michael Repp, Design Engineer, Firestone [12-13-00].
25 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
26 Document made available to Congress during Ford/Firestone hearings.
27 Deposition of Thomas Baughman, head of the Critical Concern Review Group, an internal Ford quality oversight committee. While Ford has previously taken the position that these problems were highlighted much later, subsequent discovery of internal documents and deposition testimony of Ford employees charged with responsibility for the oversight of the problems in Venezuela have shown that these problems actually came to light in 1997, not in 1998 as previously disclosed.

Q What particular document, and this was the interesting
5 part, to me at least, it says in July 1997 FOV, that means
6 Ford of Venezuela, correct?
7 A Correct.
8 Q In July 1997 Ford Venezuela representatives were called to
9 a meeting in Caracas with a group of independent lawyers
10 representing Ford customers. *
There is no information you can give us today about how that change came about or why it came about.

A. Only from what I can briefly recall as to why that change was made and I believe the main reason, if I'm recalling correctly, is that we had been seeing a lot of large P metric tires that were normally used on passenger tires before were now in fact being used on light truck and as such they were being subjected to different stresses and loads than a normal passenger tire.

Q. So a deposition was made and I'm not sure if the writing involved to go to the wedge design that we in fact use on all light truck tires, but I believe that was the main reason to make this change.

A. Yes, that's correct. We were seeing larger metric tires especially.

Q. Like 235s or 245s or 255s or what?

A. Yes.

Q. Those are good examples?

A. Those are very good examples, and even larger tires than that.

Q. People used to use those on their cars and now they were putting them on their light trucks and so this change was being made in order to reflect the changing use of those kinds of tires.

A. Yes, as I recall, that is the main reason that we did this wedge change.
481

36 Deposition of Brian Quesar, Design Engineer, Firestone [12-20-00].
37 Deposition of Robert Martin, Vice President Quality Assurance, Firestone [11-27-00].
38 Statement of Christine Karpowich, Vice President of Public Affairs [8-13-00].
39 Robert Martin, Firestone's Vice President of Quality Assurance, recently testified that the Decatur plant's tires were more heavily represented among claims because of Firestone's and Ford's distribution patterns. Firestone tires made in Illinois are more likely to be shipped for installation on Explorers made in St. Louis, Mo., which supplies the SUV's to hot climate states in the Southwest, where the problems surfaced earlier, due to the combination of speed and higher ambient temperatures. According to Firestone, tires made elsewhere were more likely to end up in Ford's Louisville, Ky., plant, which supplies Explorers to the more temperate eastern states. Deposition of Robert Martin, Vice President Quality Assurance, Firestone [11-27-00].
40 Design "robustness" has been defined in a deposition to include the following:

18 Q. What is a robust tire design?
19 A. A robust design would be a design that meets the
20 objectives of the customer and assures the customer
21 satisfaction for whatever it may be and robustness
22 is associated with tire wear and the durability and
23 a lot of other things with respect to the tire from
24 when it's new to when it's worn out and distorted
25 Q. For the life of the tire?
26 A. For the life of the tire.
27 Q. Does robustness include the ability to perform
28 safety and appropriately given the loads to which
29 the tire was designed?
30 A. Yes. Deposition of Brian Quesar, Design Engineer, Firestone [12-20-00].
41 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
42 Firestone internal document 74 as submitted to Congress.
43 Deposition of Michael Reep, Design Engineer, Firestone [12-13-00].
44 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
45 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
46 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
47 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
48 Deposition of James Gardner, Product Analysis Engineer, Firestone [12-13-00].
49 Deposition of Thomas Baughman, Chief of Engineering, Ford Motor Company [12-21-00].
50 Deposition of Thomas Baughman, Chief of Engineering, Ford Motor Company [12-21-00].
51 Deposition of Thomas Baughman, Chief of Engineering, Ford Motor Company [12-21-00].
52 Deposition of Thomas Baughman, Chief of Engineering, Ford Motor Company [12-21-00].
53 A chart describing this litigation may be found at Appendix B.
Involved

"It was a real
reading experience,
not a game, not a
job." author Tobi
Harrison said of the
e-book. But
glass screen ruined
reading on the
porch, she said.

The Future
James H. Billington,
librarian of Congress,
says e-books have
great promise for
exploring and extending
reading. He cautions,
however, that they take
some getting
used to.

Nutritional Advancements, a non-profit
association supported by the supplements
industry and focused on developing and
validating test methods. "Looking for bet
bettena in

Vanilla Almond Crisp

Consumer alert
Don't overload your SUV

Many consumers have a specialty vehicle
because it has more for less cargo—but that's
the ability to transport. But in on the
rental focus is on the vehicle following the
features, because the specialty vehicle is
small. There is no reason to consider it
a "culture" or an "educator." So if it

E::}E:

Involv2d

"It was a real
reading experience,
not a game, not a
job." author Tobi
Harrison said of the
e-book. But
eglass screen ruined
reading on the
porch, she said.

The Future
James H. Billington,
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used to.
Ford and Mazda have designed the Escape and Tribute, which use components from the Mazda MPV's minivan and 626 sedan. Both models are powered by either a 2.0-liter four or a 3.0-liter V6. A high-end Ford Explorer XLT like the all-wheel-drive version we bought seems to at $30,000. With the V8 engine, aluminum alloy wheels, leather upholstery, power seat, and a trailer-swinging package, the price comes to $34,495, including destination charge. The CB Whitman Press is $22.13.

To see if there were meaningful differences between these cousins, we bought a mid-size Mazda Tribute LS V6 with all-wheel drive. It starts at $23,625. Options raise the price to $24,652, including destination.

RECOMMENDATIONS

The ratings of the Trunks SUV have been a mixed improvement. The model performed well enough to become our top-rated small SUV, surpassing the Isuzu Trooper by a margin. It's small on the outside, but flexible on the inside. The text continues in a similar vein, discussing the vehicle's features and performance.

HOLLOVER

The recall grace buckets of SUVs have been a concern for years. This January, the National Highway Traffic Safety Administration (NHTSA) issued a final attempt to establish a recall rating for all passenger vehicles, including SUVs. The scorecard rating system, called the Hollower Resistance Rating (HRR), is designed to provide an assessment of rollover risk in a vehicle accident. A list of the 2000 model-year vehicles that have been rated to date can be found in the NHTSA website, www.nhtsa.dot.gov. As of this writing, the vehicles tested for this month's report were not included in the NHTSA database.

Although the testing is a step in the right direction, we consider it only a small start. Our biggest concern is that it's based on a small test, so it can't account for what could be critical differences in emergency handling caused by varying suspension setups, wheel tire, steering response, or the presence of an electronic stability control system.

In the event that SUVs do well in the NHTSA ratings system and light trucks do not, that could set the stage for some consumers to be more prevalent with light trucks than SUVs than they are with cars.

INTERIM DEFECT REPORTS

As of this writing, the NHTSA has not released data on specific makes and models within the category of SUVs, but some manufacturers have identified possible problems. The list continues, discussing the safety measures and recalls.

The Trunks SUV does not have a list of recalls on the website. The vehicle's weight is not included in the database. The text concludes with a reminder to consult the NHTSA website for the latest information.

LOAD CAPACITY

In the event that an SUV has problems, we focused on the limited load capability of some SUVs—the maximum weight of both passengers and cargo that a vehicle can safely carry. We noted that although some models have a large cargo area, they have a relatively small load capability and so can easily be overloaded. Some SUVs much exceed their maximum with too many passengers or cargo, which causes no capacity to be lost. The Toyota 4Runner listed this month is a prime example.

Few manufacturers make a point of discussing the limit capacity of their vehicles, so owners have to do some research to find out how much weight their vehicle can carry safely. Next, Ford and Mazda are two that do make load capacity very easy to find.

Since our report appeared, some other manufacturers have announced that they will begin providing this critical information to owners. Those include Ford, which will provide it on a sticker in the door panel of all of its Ford, Lincoln, and Mercury SUVs and pickups. Kia and Toyota. We believe every manufacturer should make this information easy to find and understand. To compare load capacities of specific models, go to http://www.ConsumerReports.org.

**Cargo capacity**

The text concludes with a table listing cargo capacity. The table includes columns for vehicle name, type, weight, length, width, and volume. The text ends with a reminder to consult the Consumer Reports website for more information.
Don't overload your SUV

Many people buy a sport-utility vehicle because it has room for lots of cargo—that's the utility part of sport-utility. But in the renewed focus on SUV safety following the firestorm surrounding the Ford Explorer and its Firestone tire failures, the question has emerged about just how much cargo is safe to carry in any SUV.

The answer is surprising. Our research shows that many SUVs are easy to overload. The vehicle may be huge, but you may not be able to fill it.

For example, the 1997 Explorer XLT that we tested has a cargo volume of more than 90 cubic feet by our measure, but a total rated load capacity of about 1,000 pounds. A tested 1997 Ford Taurus LX station wagon, by contrast, has less cargo space—32 cubic feet—but more load capacity—1,200 pounds. Keep in mind that load capacity includes both people and luggage. So with five 180-pound adults in our Explorer, there's only 100 pounds left for their luggage or other gear. In some SUV models, you can exceed the load capacity with driver and passengers alone.

Overloading any vehicle is potentially dangerous, as overloading an SUV is arguably worse. Loading up an SUV raises its center of gravity, which is already high, making it more prone to roll over. Overloading any vehicle also stresses the brakes, degrades the handling, and can overload the tires, increasing the risk of a blowout. If the tire is underinflated, the risk increases.

Finding an SUV's load capacity isn't easy. Some automakers post such figures online. Many manufacturers, in their owner's manuals, suggest you calculate it yourself by weighing the empty vehicle on a commercial scale (located at a truck stop or grain elevator, Nissan suggests), then deducting that figure from a stated "gross vehicle weight rating," the maximum allowable weight of people and luggage. The Jeep Grand Cherokee, whose relatively small cargo space and heavy load capacity make it one of the better SUVs in this regard, usefully puts the figures inside the glove compartment. Honda and Mercedes-Benz also include it in their owner's manuals, and Ford has recently announced that it will begin including payload information on stickers inside the compartments of its SUVs and pickup trucks.

All manufacturers can calculate load capacity. Consumers Union thinks this figure should be prominently displayed in every vehicle.
Load capacity comparison

It's natural to assume that if a vehicle has a large cargo area then you should be able to fill it without worrying about overloading the vehicle. But that's not always the case. Some vehicles have a large cargo area but a relatively low load-carrying capacity—the maximum combined weight of people and cargo that the vehicle is designed to safely handle. In fact, some vehicles can be overloaded with just five adults.

Overloading a vehicle can compromise safety, affecting its handling, braking, and tires. Unfortunately, most auto manufacturers don't include load capacity either on the vehicles or in the owner's manuals. (Exceptions include Jeep, Honda, and Mercedes-Benz, which all provide this information in their owner's manuals.) In addition, the load capacity for a given nameplate can vary, depending on the model. A vehicle's trim level, model year, amount of optional equipment, the type of transmission, and even the amount of sound deadening can affect the maximum amount of weight that a vehicle can safely carry. That's why a higher trim level, loaded with a lot of optional equipment, can have a lower load capacity than a base model.

If a vehicle's load capacity isn't provided by the manufacturer, it can be hard to calculate. You would have to:

- Obtain the Gross Vehicle Weight Rating from the vehicle's doorjamb sticker.
- Have the vehicle weighed on a commercial-grade scale to determine its curb weight—what the vehicle weighs with a full tank of gas but without any passengers or cargo.
- Subtract the curb weight from the Gross Vehicle Weight Rating. This figure is the vehicle's load-carrying capacity. Not many consumers have easy access to commercial-grade scales. To help, Consumer Reports calculates and publishes this figure for each vehicle it tests.

Sport-utility vehicles

Reading the table

The following table shows the load capacity of all SUVs that Consumer Reports has tested since 1993. Vehicles are listed in alphabetical order by make and model. The maximum load, in pounds, was calculated at our Auto Test Facility using the manufacturers' specifications and our own vehicle scales. Since these figures apply only to the specific model year and trim line listed, use them only as a comparative guide. In addition, the chart includes the cargo volume—or total usable amount of cargo space—for SUVs, minivans, and wagons, as measured by Consumer Reports' auto engineers.
<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Trim line</th>
<th>Model year</th>
<th>Maximum load capacity</th>
<th>Cargo volume cu. ft.</th>
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<tbody>
<tr>
<td>Mazda</td>
<td>MX-4</td>
<td>2000</td>
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<td>872</td>
<td>2.8</td>
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<tr>
<td>Dodge</td>
<td>Durango</td>
<td>SE T Pkg</td>
<td>1995</td>
<td>1,680</td>
<td>4.7</td>
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<tr>
<td>Ford</td>
<td>Explorer</td>
<td>XLT</td>
<td>2005</td>
<td>7,836</td>
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<td>Expedition</td>
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<td>1997</td>
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<td>560</td>
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<td>—</td>
<td>1997</td>
<td>920</td>
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<tr>
<td>Honda</td>
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<td>4,150</td>
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<td>Sportage</td>
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<td>660</td>
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<td>E</td>
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<td>Mercury</td>
<td>Mountaineer</td>
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<tr>
<td>MINOTRON</td>
<td>Marathon</td>
<td>—</td>
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<td>1,300</td>
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<td>Marathon</td>
<td>LE</td>
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<td>1,300</td>
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<tr>
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<td>Xterra</td>
<td>—</td>
<td>2001</td>
<td>3,200</td>
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<tr>
<td>MINOTRON</td>
<td>Xterra</td>
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<tr>
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<tr>
<td>MINOTRON</td>
<td>Xterra</td>
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<td>1999</td>
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<td>Xterra</td>
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<td>1995</td>
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<tr>
<td>MINOTRON</td>
<td>Xterra</td>
<td>—</td>
<td>1999</td>
<td>1,320</td>
<td>4.0</td>
</tr>
</tbody>
</table>

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Ford Motor Company

NHTSA – Ford Motor Company Review

March 26th and 29th, 2001

Firestone Tire Root Cause Update
And
Explorer Vehicle Dynamics Presentation
Ford's Conclusions

The elevated rate of tread separation claims and Explorer rollover reports that result in injuries and fatalities is completely explained by tire design, manufacturing and in-use factors. The other four Technical Hypotheses have no discernable effect.
Draft Root Cause Statement:

The root cause of the elevated rate of tread separation failures of certain Firestone P235/75R15 tires is due to a combination of:
1) the sensitivity of the tire design to stress and ageing,
2) design differences between ATX and W-AT tires
3) manufacturing properties which differ between plants.

These three factors result in higher sensitivity of the tires to failure in field conditions (such as high ambient/operating temperature, high load, high speed, and low inflation pressure). These three factors combine with more than one of the field conditions to cause the elevated incidence of claims.

The root cause is therefore a complex interaction, and not attributable to any one of the elements in isolation.

March 28, 2001
Recalled tires from the field

The pictures above show Firestone 15" tires with a few thousand miles service history in the field.

LEFT – shows that the crack has initiated at the edge of the belt and progressed into the wedge material between the belts.

RIGHT – shows the progression of the crack into the skim coat between the belts.
**DRAFT/PRELIMINARY**

**Summary**

Current strategies for development of utility vehicle stability have changed over the past few years due the increased availability of rollover accident data and analyses. Those strategies were partially driven by the Insurance Institute tests of the Jeep CJ in the early ‘80s which emphasized risk from rollovers caused by extreme rates and magnitudes of steering inputs in emergency maneuvers. Independent CET, ON and Ford studies have confirmed that rollovers directly induced by extreme steering inputs are safe for any utility vehicle (including the CJ). The following quote from ON’s recent SAE Paper (Reconstruction of Rollover Collisions, SAE 980137) summarizes A common pre-rollover maneuver is an off-road path by the driver followed by heavy steering correction back towards the road leading to a rollover. Based on this raw information, the UN46 was developed using a handling philosophy notably different from the BII. A comparison of BII and UN46 handling strategies is summarized below.

**Model Responses**

<table>
<thead>
<tr>
<th>UN46</th>
<th>BII</th>
</tr>
</thead>
<tbody>
<tr>
<td>Response</td>
<td>Cornering Capacity</td>
</tr>
<tr>
<td>Quick steering and moderate underride for good response and minimum tire &quot;squish&quot;</td>
<td>Maximum for good accident avoidance capability and fast &quot;lap times&quot; on handling track</td>
</tr>
<tr>
<td>Develop vehicle for high speed through lane change pylons</td>
<td>Increase body roll to reduce cornering confidence and thereby discourage aggressive driving</td>
</tr>
</tbody>
</table>

**UN46**

- Reduce steering gain and increase underride to slow steering response. This will increase driver feedback (more tire "squish") and reduce sensitivity to driver over-correction (common with drivers "under the influence").

**Parameter Comparison**

<table>
<thead>
<tr>
<th>Parameter</th>
<th>UN46</th>
<th>BII</th>
</tr>
</thead>
<tbody>
<tr>
<td>avg Track Width</td>
<td>11.4 11.4 11.4 11.4 11.4 11.4 11.4 11.4 11.4</td>
<td></td>
</tr>
<tr>
<td>Stability Index</td>
<td>0.21 0.21 0.21 0.21 0.21 0.21 0.21 0.21 0.21</td>
<td></td>
</tr>
<tr>
<td>Versace Metric 1/2</td>
<td>349 348 336 336 336 336 336 336 336</td>
<td></td>
</tr>
<tr>
<td>Roll Gain &quot;g&quot;</td>
<td>1.8 2.0 2.0 2.0 2.0 2.0 2.0 2.0 2.0</td>
<td></td>
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<td>Roll Corr 15 mph &quot;g&quot;</td>
<td>18.1 18.1 18.1 18.1 18.1 18.1 18.1 18.1 18.1</td>
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<tr>
<td>Over steer Ratio</td>
<td>1.04 1.04 1.04 1.04 1.04 1.04 1.04 1.04 1.04</td>
<td></td>
</tr>
<tr>
<td>Overall 10&quot;/sec</td>
<td>0.02 0.02 0.02 0.02 0.02 0.02 0.02 0.02 0.02</td>
<td></td>
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<tr>
<td>W/Weight 3/</td>
<td>0.04 0.04 0.04 0.04 0.04 0.04 0.04 0.04 0.04</td>
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</tr>
</tbody>
</table>

1/ This is a measure of stability that shows high correlation with actual FAA rollover data. Unlike the "Stability Index", this measure includes wheelbase effects (important for "directional stability")... lower is "better".
2/ This is an analytical measure of steering gain. The smaller the value, the "quicker" the perceived steering response.
3/ High power/weight is believed to promote aggressive driving.

**EXP1 1572**
**Note:** To understand this with the computer analysis program ADAMS, the UN-4 2 Dr will be sign-off for vehicle stability by actual "limit" testing at the Arizona Proving Grounds (April 18th to 27th). Testing will include an '89 S-10 Blazer with a 2.2L engine along with a current production B/W 4x4. The B/W provides an essential "baseline" for UN-40 rover stability sign-off because our analysis of the B/W FARS data indicates that vehicle is a 2-door model. Both 2+ and 4-door models exhibit track handling performance superior to the UN-4 2 Dr. Evaluations on the handling and suspension courses demonstrate that the vehicle body roll induced during increasingly severe maneuvers provides ample feedback to the driver of impending limit conditions. Increased understeer during severe cornering reduces the lateral acceleration and enhances control. The UN-40 models are superior to the B/W M-40 for all available options including tires currently released for the program. The UN-40 models have been tested superior to the Chevrolet S-10 Blazer and Nissan Pathfinder for overall subjective handling.

**Tire Pressure Reduction:** Engineering has recommended use of tire pressures below maximum allowable inflation levels for all UN-4 2 Dr tires. As described previously, the reduced tire pressures increase understeer and reduce maximum cornering capacity (both "stabilizing" influences). This practice has been used routinely in heavy duty pickup truck and car station wagon applications to ensure adequate understeer under all loading conditions. Nissan (Pathfinder), Toyota, Chevrolet, and Dodge also reduce tire pressures for selected applications. While we cannot be sure of their reasons, similarities in vehicle loading suggest that maintaining a minimal level of understeer under rear-loaded conditions may be the compelling factor.

**Summary:**
Based on an analysis of FARS accident summaries and B/W & Competitive handling characteristics, it is impossible to identify any type of vehicle "defect" that could explain the B/W FARS performance. It is most likely that the handling strategy used during the development of the B/W, which fully exploited the vehicle's inherent quickness (due to its short wheelbase), encouraged aggressive driving and makes the vehicle more sensitive to the large steering wheel "over-corrections" that seem to be part of most "rollover" scenarios. This sensitivity is further increased by the fact that the most operators in rollover scenarios are either inexperienced drivers under the influence of alcohol or both. The UN-40, designed with the benefit of the FARS experience for all utility vehicles, has been intentionally developed to resolve these issues.
FROM: RSTORNAN - DRBND01
To: COMITE - DRBND01
Subject: UN46 Steering Linkage Issue - Index Bars

UN46 with P225 tire on both 2 dr and 4 dr was literally "bullet-proof" (i.e., no 2 wheel lift on long or short course with "saturation" tendency similar to T-Blazer). The 4 dr with the P225 ATX tires was significantly better than BI1, especially on the short course where it was impossible to generate 2 wheel lift (on the long course, "reserve" was 3 mph, better than BI1 6 mph reserve).

However, the 2 dr with P235 ATX tires performed similarly to the BI1 on both the short and long courses. Addition of the lowered front roll center gave the P235 tire performance similar to the P225 even without the increased track width. Based on the variability of the test, as demonstrated by our own drivers, it is possible to pass the CU test with the P235 tires, however, if we were using the CU test as sign-off requirement, we would not accept this combination (P235 ATX & 2dr).

In the "real world", tire size has not been demonstrated to be a significant factor; in fact, analysis of the PARS incidents would suggest that larger tires may be an advantage (reduced tendency for rim-road contact). Our analysis would indicate that the Explorer will have much better PARS performance than BI1 regardless of tire size due to it's longer wheelbase, increased understeer and slower dynamic response (also a WB effect).

Regards,
Roger F. Stornant

--- Forwarding note from COMITE - DRBND01 09/11/89 16:01 ---
To: RSTORNAN - DRBND01 & F. Stornant

FROM: Charles White
Subject: UN46 Steering Linkage Issue - Index Bars
Isn't it also true that the UN46 is better than BI1 in CU test even with P235?

Isn't it also true that UN46 with P235 is much better than BI1 with P205 in real world PARS analysis standpoint (longer wheelbase, etc.)?

--- Forwarding note from RSTORNAN - DRBND01 09/11/89 12:20 ---
To: COMITE - DRBND01

FROM: Roger F. Stornant
Subject: UN46 Steering Linkage Issue - Index Bars
I believe my attached note to RWS will answer your question on "What tire issues?"

Regards,
Roger F. Stornant

--- Forwarding note from RSTORNAN - DRBND01 09/11/89 12:16 ---
To: RSTORNAN - DRBND01

FROM: Roger F. Stornant
Subject: UN46 Steering Linkage Issue - Index Bars

Nothing new on tires. Our tests indicate a high confidence of passing CU with P225 tires and less confidence on the P235. All tires meet engineering J-Turn test. I believe new info is that our competitors are recognizing CU test as a requirement and have designed their new utility vehicles to meet. OGC is concerned we will be only OEM with a vehicle that has a significant chance of failing the CU test. I believe that management is aware of the potential risk w/P235 tires and has accepted risk. CU test is generally unrepresentative of real world and I see no "real" risk in failing except
what may result in way of spurious litigation.

From an engineering standpoint, I am not comfortable with the warning label approach to avoid use of an index bar. I do not believe we could even count on B&W to orient correctly, much less service personnel; however, if you obtain ASO concurrence in this approach, I will go along.

Regards,
Roger F. Stomrant

*** Forwarding note from RSIMPSON--DRENOO1 09/11/89 11:01 ***
To: RSIMPSON--DRENOO1

*** Reply to note of 09/11/89 09:55 ***
FROM: Roger R. Simpson
Subject: U/B A Steering Linkage Issue - Index Bars

IN MY MIND, THERE IS SUFFICIENT RATIONALE TO ELIMINATE ALL OF THE INDEX BARS IF A DECAL ON THE LINKAGE IS EMPLOYED. LET'S DISCUSS.

REGARDING TIRES, I THINK TRUCK SHOULD STAND ON IT'S ORIGINAL POSITION. IS THERE ANY NEW INFORMATION THAT WOULD CAUSE A CHANGE?

cc: WILLIES--DRENO01
WHITE --DRENO01

Regards,
Roger R. Simpson

cc: ROAMFREL--DRENO01
DAMOTT --DRENO01
DHAUSTO1--DRENO04
From: RSTORNAN--DR8N001
To: CRNITE -- DR8N001
RSIMFH01--DR8N001

FROM: Roger F. Stornant
Subject: UN46 Steering Linkage Issue - Index Bars

Based on testing performed by Carron last week, it appears that resolution of
the index bar concern is near. At this time, index bars will not be required
on any 4x4 models and only on one side of the 4x2 models. Carron believes
that, with minor re-design of the stabilizer bar link, only one index bar will
eventually be required (a full complement of index bars is 4 per linkage ... 2
on each side, @ $2.50 per bar thus the $15 value for a complete
linkage). With this approach, we would probably launch with a pair of bars on
the 4x2 linkage and shortly after Job #1 go to the single bar with an UN46
average cost effect of < $1. BAAO is currently reviewing the impact of this
proposal but, because a single bar does not significantly hamper the tie
rod adjustment process, they are expected to buy-in to both the short term
two bars on one side) and long term (one bar on one side) plan.

Final resolution is expected for later this week. Other actions required
are proceeding for Job #1 according to plan.

I have heard via the "grapevine" that OGC is arming themselves for one more
attempt to revise the initial tire release plan. They have heard that Nissan and
Toyota are designing their utility vehicles to meet the C5 test (GM
already meets). I understand they will be asking us to restrict to
the P225 tire and make additional changes to increase confidence in the
optional tires.

cc: DND7ST01--DR8N004

Regards,
Roger F. Stornant

EXPI 0625
From: RSTORMAN--DRBN001
To: DHOUST01--DRBN004

FROM: Roger F. Stornant
Subject: UN46 FRONT SUSPENSION

C4N's absolutely correct but you can be sure that any new suspension we execute will be best in class in the suspension parameters that impact vehicle stability.

Regards,
Roger F. Stornant
*** Forwarding note from CWITE --DRBN001 09/15/89 17:19 ***
To: DHOUST01--DRBN004
DVREPL01--DRBN001
DVOLATZ --DRBN001

FROM: Charles White
Subject: UN46 FRONT SUSPENSION

There is discussion starting to revolve the Ranger and UN46 suspension due to out-of-date performance of the Twin-1 beam. The issues we will address are drift/pull, tire wear, and clear vision. There is the indirect benefit to handling, but I am keeping in mind that the B11 and the improved UN46 are both safe, well-handling vehicles. Earliest possible timing is around 39% or so. There is no way to do earlier due to massive changes required in frames and suspension.

The current cycle plan shows 1998 MY as the Job 1 date, but at the 9/15/89 QSC sig it was agreed that we would look at an earlier incorporation of a new front suspension out-of-cycle for the reasons stated above, not safety.
*** Forwarding note from DHOUST01--DRBN004 09/15/89 18:19 ***
To: DVREPL01--DRBN001
CWITE --DRBN001

FROM: David R. Houston
Subject: UN46 FRONT SUSPENSION

In the event you take a poll, my vote would be to change the cycle plan for the UN46 vehicle to replace the current front suspension at the earliest possible opportunity. I believe that this would positively position the vehicle to be immune from criticism arising from allegations regarding limit handling maneuvers. This would also help keep the vehicle free from any public relations or competitive attack, while NHSTA makes up its mind on what stability tests might be appropriate.

cc: RSTORMAN--DRBN001
    A4KLAND--DRBN004
    TSPLEAR --DRBN004

Regards,
David R. Houston
PHONE X41312, FAX X25457, PROFS ID "DHOUST01"

cc: RSTORMAN--DRBN001 R. F. Stornant
From: RSTORMAN-DRN001  
To:  
Date and time: 09/15/89 12:28:21

From: Roger F. Stormant
Subject: UN46 FRONT SUSPENSION

C & W's absolutely correct, but you can be sure that any new suspension we execute will be best in class in the suspension parameters that impact vehicle stability.

Regards,
Roger F. Stormant

*** Forwarding note from WHITE -- DRN001 09/15/89 17:19 ***

To: DHOUST01-DRN004
DREDFGL1-DRN001
DURATZ -- DRN001

From: Charles White
Subject: UN46 FRONT SUSPENSION

There is discussion starting to revise the Ranger and UN46 suspension due to out-of-date performance of the Twin-I beam. The issues we will address are drift/pull, tire wear, and clear vision. There is the indirect benefit to handling, but one keep in mind that the BII and the improved UN46 are both safe, well handling vehicles. Earliest possible timing is around 3994 or so.

There is no way to do earlier due to massive changes required in frames and suspension.

The current cycle plan shows 1998 MY as the Job 1 date, but at the 9/15/89 QSC mig it was agreed that we would look at earlier incorporation of a new front suspension out-of-cycle for the reasons stated above, not safety.

*** Forwarding note from DHOUST01-DRN004 09/15/89 16:19 ***

To: DREDFGL1-DRN001
WHITE -- DRN001

From: David R. Houston
Subject: UN46 FRONT SUSPENSION

In the event you take a poll, my vote would be to change the cycle plan for the UN46 vehicle to replace the current front suspension at the earliest possible opportunity. I believe that this would positively position the vehicle to be immune from criticism arising from allegations regarding limit handling maneuvers. This would also help keep the vehicle from any public relations or competitive attack, while NHTSA makes up its' mind on what stability tests might be appropriate.

cc: RSTORMAN-DRN001
AHOULAND-DRN004
DSFEBR -- DRN004

Regards,
David R. Houston
PHONE X41312, FAX X25457, PROPS ID "DHOUST01"

cc: RSTORMAN-DRN001 R. F. Stormant
From: DHoust01-DRBN004
Date and time: 09/18/89 08:39:45
To: AHOGLAND-DRBN004
TSPAR-DRBN004

From: David R. Houston

Subject: UN46 FRONT SUSPENSION

JUST CLOSING THE LOOP REGARDING MY NOTE TO CHUCK WHITE.

I HOPE THE DISCUSSIONS WE REFERED TO DON'T DAMPEN THEMSELVES OUT. IT IS ALSO COMFORTING TO HEAR THAT THERE ARE "OTHER" REASONS FOR REVISION OF THE "TWIN-1" BEAM OTHER THAN THOSE WE ARE CONCERNED WITH. IF EITHER OF YOU HAVE ANY IDEAS HOW WE "ADO" COULD HELP THAT SNOW BALL GATHER A LITTLE SNOW, LET'S DISCUSS IT AT OUR NEXT DESIGN REVIEW.

Regards,
David E. Houston
PHONE X41312, FAX X25457, PROFS ID "DHOUST01"

*** Forwarding note from CWHITE-DRBN001 09/15/89 17:19 ***
To: DHoust01-DRBN004

FROM: Charles White

Subject: UN46 FRONT SUSPENSION

There is discussion starting to revolve the Ranger and UN46 suspension due to out-of-date performance of the Twin-1 beam. The issues we will address are drift/pull, tire wear, and clear vision. There is the indirect benefit to handling, but pls keep in mind that the R11 and the improved UN46 are both safe, well-handling vehicles. Earliest possible timing is around 1984 or so. There is no way to do earlier due to massive changes required in frames and suspension.

The current cycle plan shows 1984 MY as the J1 date, but at the 9/15/89 QSC mtg it was agreed that we would look at earlier incorporation of a new front suspension out-of-cycle for the reasons stated above, not safety.

*** Forwarding note from DHoust01-DRBN004 09/15/89 16:19 ***
To: DREPLOGL-DRBN001

FROM: David R. Houston

Subject: UN46 FRONT SUSPENSION

In the event you take a poll, my vote would be to change the cycle plan for the UN46 vehicle to replace the current front suspension at the earliest possible opportunity. I believe that this would positively position the vehicle to be immune from criticism arising from allegations regarding handling maneuvers. This would also help keep the vehicle free from any public relations or competitive attack, while NHTSA makes up its' mind on what stability tests might be appropriate.

cc: RSTORMAN-DRBN001
AHOGLAND-DRBN004
TSPAR-DRBN004

Regards,
David R. Houston
PHONE X41312, FAX X25457, PROFS ID "DHOUST01"

cc: RSTORMAN-DRBN001 R. F. Stornan

cc: DHoust01-DRBN004

EXPI:0627
St. Petersburg Times, June 16, 2001

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St. Petersburg Times

June 16, 2001, Saturday

SECTION: NATIONAL; Pg. 1A

LENGTH: 1951 words

HEADLINE: Attention shifts from Firestone to Ford Explorer

BYLINE: ANITA KUMAR

BODY:

Many experts now say the rollover propensity of the SUV is more to blame for fatal accidents than faulty tires.

Robert Harold Miller was traveling north on Interstate 75 in Lee County on March 29 when a rear tire ripped apart. His 1996 sport utility vehicle spun out of control at 70 mph before resting on its side.

Miller, 57, of Fort Myers was killed instantly.

The vehicle was a Ford Explorer. But the tires were not Firestone.

That accident, involving a Cooper tire, is one of the many that have come to light in recent weeks in which an Explorer flips after a tire - not made by Firestone - fails apart or after a driver swerves to avoid something in the road.

The crashes, and the most recent data that has just been compiled and examined by Firestone and by the Safety Forum, a consumer safety group, have shifted much of the blame for deadly rollovers across the nation from Bridgestone/Firestone to Ford Motor Co. and the Explorer, the world's best-selling sport utility vehicle.

Firestone, of course, has an ax to grind. The tiremaker has taken the majority of the blame in this crisis. But now, the company is fighting back, doing its own research to try to shift responsibility to Ford.

It was Firestone, for example, that broke off its 100-year-old relationship with Ford last month just before Ford told owners of its light trucks and SUVs equipped with Firestone tires to take their vehicles back to dealerships for replacement tires.

Industry experts such as Safety Forum, Ralph Nader’s Public Citizen and the Center for Auto Safety say that Ford is even more responsible than the tiremaker for the problem that the government estimates led to 174 deaths nationwide. They want the company to be punished, and they want the vehicle to be taken off the road.

“At its core the Ford-Firestone tragedy was largely the responsibility of Ford Motor Co.,” said Joan Claybrook, president of the consumer advocacy group Public Citizen. Claybrook headed the National Highway Traffic and Safety Administration during the Carter administration.

Ford is facing some backlash from consumer groups who think the automaker didn’t do enough to prevent the deaths and injuries caused in the hundreds of accidents worldwide. Forces rallying against Ford include:

Consumer groups are asking Ford to notify Explorer owners of what the groups say are the
vehicle's safety flaws.

Firestone CEO John Lampe is requesting the federal government investigate the Explorer's safety concerns.

**Venezuela** is considering banning Explorers sales after accidents there claimed 37 lives.

Lawyers are asking a federal judge to force **Ford** to recall 4-million Explorers.

Congress is examining Firestone's claim during hearings Tuesday that the Explorer suffers from a steering problem that leads to rollovers.

**Ford** and Firestone have been feuding for months about which company is most responsible for the accidents. Though Firestone has taken the most heat, safety experts who are not involved in any litigation against either company, now say the automaker is ultimately responsible and must take further action.

"The problem was created by **Ford** at the outset," said Ocala lawyer Bruce Kaster, a tire litigation expert who has several clients suing both **Ford** and Firestone. "**Ford** could have completely eliminated the problem. But it didn't."

That's because the world's second-largest automaker's design produced a vehicle with a dangerous tendency to flip, say lawyers like Kaster and Tom Turner, a vehicle rollover litigation expert who also has clients suing both companies, and consumer experts like Safety Forum and Public Citizen. They also say **Ford** failed to design an unsafe tire and assured customers they could keep their tires underinflated and their vehicles overloaded.

**Ford** officials have repeatedly denied that the Explorer has problems, describing the vehicle as one of the safest on the road. **Ford** says Firestone is pointing the finger at the Explorer - one of the automaker's biggest moneymakers - only to take attention away from defective tires.

**Ford** and Firestone have recalled 27.4-million tires. And as a federal inquiry into those tires and more enters its second year, consumer groups have been crunching numbers and releasing statistics that back up the accusations against **Ford**.

Groups such as Safety Forum report that Explorers are four times more likely to roll over than other SUVs, and Firestone estimates that in Florida, Explorers are twice as likely to flip as other SUVs in tire-related crashes.

A four-month St. Petersburg Times analysis found that 41 people have been killed in Florida since 1997 in sport utility vehicles equipped with Firestone tires. No list of Explorer rollover accidents has been compiled nationwide, but the Times has found several accidents in Florida that involve Explorers but not Firestone tires.

"Both companies are to blame," Claybrooke and Ralph Hoar, who heads the Safety Forum, said in a joint statement. "But the ultimate responsibility lies with **Ford** because many key decisions leading up to the tragic deaths were made by **Ford**."

The focus shifts to **Ford**

Most SUVs are considered more likely to flip than passenger cars after sudden movements. But some auto experts, like Strategic Safety, another consumer safety group, and the Center for Auto Safety, say the Explorer's design makes it even more dangerous than other SUVs. That, combined with **Ford**'s poor decisions about the tires' specifications, low inflation pressure and weight reduction, helped create the situation, they say.

**Ford** officials say the Explorer is not the problem, despite being sacked by a $25-million jury verdict in a recent Texas case involving a fatal rollover of a Bronco II, the predecessor to the
Ford’s SUVs had rollover problems long before defective Firestone tires came into the picture. Consumer Reports criticized the Bronco II, the Explorer’s predecessor, for being prone to flip. In the 1980s, Ford overhauled the Bronco and kept that history in mind as it designed the Explorer.

In January, the federal government gave the Explorer just two stars on a new scale of from one to five that indicates the risk for a rollover. Two stars means the vehicle has a 30 percent to 40 percent chance of flipping in a single-vehicle crash.

Experts say some characteristics that make the Explorer unstable are its top-heavy nature; a wheelbase that is too narrow; a high cargo floor; and suspension that slows braking and allows wheels to slip. Some of those elements are being redesigned in the 2002 Explorer, but Ford spokeswoman Kathleen Vokes said that has nothing to do with Firestone-related accidents.

Firestone officials acknowledge that design and manufacturing mistakes led to some faulty tires but are frustrated by what they describe as Ford’s lack of candor about the Explorer’s safety problems.

“An analysis suggests that there is a significant safety concern with a substantial segment of Ford Explorers,” Firestone’s Lampe said. “Ford Explorers on non-Firestone tires continue to experience tread separations and tragic rollover accidents.”

An analysis of National Highway Traffic and Safety Administration data by Safety Forum shows that the wave of rollovers involving Explorers may have more to do with the vehicle than the tire. Tire failures on Explorers are four times more likely to produce catastrophic rollovers than on other SUVs. The analysis of more than 3,500 tire failures found.

Recent studies by Firestone reflect a rollover problem with Explorers. The tiremaker said a review of Firestone claims data showed the Explorer is twice as likely to have a rollover in a tire-related crash than other SUVs.

Daniel Guenther, an Ohio State University engineer who tested the Explorer and two other SUVs for Firestone, said a steering problem makes the Ford vehicle more difficult to control.

“This is a vehicle problem, not a tire problem,” Guenther said.

Clarence Dillon, executive director for the non-profit Center for Auto Safety said only about 10 percent of rollovers are tied to tire failures. Most, he said, occur after some other kind of sudden move.

A sample of crashes in Florida shows that Explorers have been involved in accidents without Firestone tires or, sometimes, without any tire problem.

One person was killed April 4 when an Explorer flipped on Interstate 4 in an accident with no tire failure. Another was killed May 16 when a non-Firestone rear tire on an Explorer fell apart on I-75 in Lee County. On May 27, an Explorer spun out of control when another car slid in front of it on I-275 in Pinellas County.

“The Ford Explorer is uniquely dangerous,” Kester said. “It is a vehicle that is much more susceptible to catastrophic crashes. They can no longer say to people, “This is a safe vehicle.”

This time, recall Explorers?

Ford’s lack of action regarding the Explorer has prompted Firestone and consumer advocates to search for other ways to get the vehicle recalled and the company punished.
Lawyers representing hundreds of people killed or injured in Explorers asked the federal judge overseeing a class-action case against Ford and Firestone to recall 4-million Explorers.

The unusual request seeks the recall of all Explorers made since its inception in 1990, excluding the 2002 model, and a refund or replacement vehicle for owners. A Ford spokesman called the request frivolous and said the Explorer "has been, and continues to be, one of the safest vehicles on the road."

Federal Judge Sarah Evans Barker has yet to rule.

Lampe, the Firestone CEO, went to Washington to lobby another arm of the government about his request. He met with the federal transportation secretary about possible Explorer steering problems and asked for an investigation by the federal agency that oversees the auto industry.

"What we are concerned about is when something like this happens, a person should be able to pull over and not roll over," Lampe said after the meeting.

The National Highway Traffic Safety Administration has not responded but Congress has.

The House Commerce Committee scheduled a hearing for Tuesday to examine both companies' products and accusations. Committee spokesman Ken Johnson said it would examine Ford's analysis of Firestone tires and Firestone's claims of Ford steering problems.

Meanwhile, two national consumer groups, Safety Forum and Ralph Nader's Public Citizen, are lobbying the government, the media and Ford. They want the automaker to tell owners about the Explorer's tendency to roll, difficult handling after a tire separation, weak roof and lack of protection in a rollover crash.

While the federal government, Firestone and consumer safety groups are turning up the heat on Ford in the United States, things aren't much better for Ford overseas. In Venezuela, attention also has shifted to the automaker.

The Venezuela consumer protection agency asked that country's attorney general to seek a nationwide ban on Explorer sales and advertising, saying design flaws may have caused 50 accidents that claimed 37 lives since August.

The agency, known as Indecu, first reported that both Ford and Firestone were responsible for the deaths but recently changed its stance. The attorney general's office and Venezuelan congress are looking into the accusations.

As Ford and Firestone continue to fight, some people are starting to conclude that the two companies share some blame for their own flawed products, which together, formed a deadly combination.

"You can't separate these two," Turner said. "I know everybody wants to. But this is just a unique combination of a bad tire on a bad vehicle."

©0967

LOAD-DATE: June 17, 2001
The story is about a family whofault Cooper tires for a crash. The driver's death raises questions about company safety. The driver, who had replaced his Firestone tires with Cooper tires, was killed in a crash. The Cooper tires are believed to have played a role in the crash. The company recalled 6.5 million tires due to safety concerns. The family learned that questions also have been raised about the safety of Cooper tires. Premature tread separation of Cooper tires may have caused accidents that led to more than 36 deaths in the past six years.

*Cooper doesn't make a very good tire,* said attorney Hugh Smith of Tampa, Fla., who is investigating Brown's death. "It's a
Competitive market, and they're trying to skimp on cost."

But a company spokeswoman said Cooper tires are safe.

"We have very few lawsuits, and our quality record is very good," said spokeswoman Pat Brown. "The reason we are in business is because people are happy with our product."

Cooper, which is based in Findlay, Ohio, makes about 40 million tires a year and has sales worldwide of $1.5 billion. Its tires are sold as replacements for the original tires on passenger cars and light trucks.

The company has been hit by a series of class-action lawsuits demanding that the it replace millions of tires made since 1985. The lawsuits claim Cooper workers damaged the tires when they used a tool similar to an ice pick to remove air bubbles.

Earlier this month, a jury in El Paso, Texas, awarded $10 million to the relatives of four people killed in a 1997 van accident after they found a defective tire from Cooper caused the van to roll over.

Brown said there are many reasons the tread could come apart on a tire besides manufacturing defects.

"We are certainly sorry for the family and the tragedy, but we do have a very good safety record," she said. "There are many reasons why this tread could separate. He could have picked up a nail. He could have had some impact damage."

Smith said he doesn't know yet which of Cooper's manufacturing plants produced the tire or what caused it to fail. He said the National Highway Traffic Safety Administration, which is investigating the Firestone deaths, is too understaffed to do proper investigations of tire companies.

"Unless you have a true epidemic like you have with Firestone, the NHTSA simply is not equipped to deal with these problems of consumer safety," Smith said. "The manufacturer is constantly weighing the costs of the deaths of people and whether those costs outweigh the costs of making a better tire. The answer to that question is generally no."

Richard Brown was born in Peoria, where he attended Manual High School before joining the Air Force. He used to manage the Old Country Buffet in Peoria and was thinking about moving back home to open a fast-food restaurant, his sister said.
He said, "I'm coming home for a couple months." Carey said.
"I'm going to scout around for some restaurants, and I want to
relax."

Richard Brown was the type of person who didn't get perturbed
about things very easily. He liked nature and would drive to Lake
Tahoe in Nevada and call relatives to tell them what it looked like.
When he died, he had a Bible and pictures of his two sons with him.

"I don't want my brother just to die in vain for nothing," Carey
said. "He was everything to us."

TABLE 1: GRAPHCICAL MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYA

NAME: FORD EXPLORER

ENGLISH LANGUAGE CONTENT: Product Safety; Corporate

ALL

ENGLISH SENT

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Dear Chairman Greenwood and Chairman Stearns:

This responds to your letter of June 29, 2001 containing two follow-up questions related to the June 19 hearing on Ford Motor Company's Tire Replacement Program involving certain tires manufactured by Bridgestone/Firestone, Inc.

Question No. 1.

In Mr. Lampe's testimony, he mentions Ford's own internal documents – specifically Document 54 in last year's hearings – state Goodyear tires have had 10 tread separations. This is not what Ford has said in the past. Why the discrepancy?

Response

We appreciate this opportunity to clarify what Document 54 means and to address the claim that there have been 10 tread separations on Goodyear tires. Document 54 (copy attached) was written by a Ford engineer as part of Ford's investigation into reports of tread separations on Firestone tires in the Gulf Coast Countries (GCC). The engineer was investigating whether there were similar tread separation reports in the United States. Document 54 shows that he queried several data sources to determine whether there were similar reports. Those data sources are Vehicle Owner Questionnaires sent to NHTSA, warranty reports in Ford's Analytical Warranty System (AWS) database, reports from dealer technicians in Ford's Common Quality Indicator Systems (CQIS) database, and customer contacts in Ford's Master Owner Relations System (MORS). These customer contacts are most often telephone calls to what was then called our Customer Assistance Center.
The section describing the Ford engineer's search of the customer contacts database (MORS) states "Found 52 possible tread separation claims on Firestone (22) and Goodyear (10)," and later states "10 of 52 possible claims were for the P235/75R15 tire from Goodyear." As Document 54 indicates, this search involved a manual review of 4236 total reports to locate these 10 reports that possibly related to a tread separation. It is important to note that uniquely in this section, Document 54 uses the term "possible" to describe the reports because the generalized descriptions contained in the reports did not allow the engineer reviewing them to make a determination that any of the reports actually involved a tread separation. Because the engineer could not make a determination whether these reports truly relate to tread separation, he listed them in Document 54 as "possible" tread separations to be fully inclusive. Therefore, it would be incorrect to conclude, based on Document 54, that there were 10 incidents of tread separations on Goodyear tires.

For a variety of reasons, including the fact that tire manufacturers, not vehicle manufacturers, have warranted their tires, tire companies have collected and retained substantially more information related to tread separation reports than vehicle manufacturers. It wasn't until July 2000, when Firestone supplied their claims data to Ford, that we became aware of the substantial number of tread separation claims involving Firestone ATX and certain Wilderness AT tires. Firestone's claims database contained hundreds of claims of tread separations that were not contained in Ford's databases. In order to make a fair comparison of the Firestone claims experience, in August 2000, we reviewed with Goodyear their claims data related to tires fitted on Explorers. We subsequently received a letter from Goodyear summarizing their claims data in September 2000 and a further correspondence from Goodyear on June 1, 2001 reiterating their claims information. It is this Goodyear claims data and subsequent investigation that provided reliable documentation of two tread separation claims involving P235/75R15 Goodyear tires.

**Question No. 2**

Why didn't Ford change all of its tires over to Goodyear when it became obvious the tire failure rate on Goodyear was so much less than that of Firestone?

**Response**

In order to answer this question, we are providing a timeline of the tread separation claims information available to Ford. Ford initially received Firestone's tread separation claims data on July 28, 2000. Until that time, Ford did not possess this critical information. Firestone's claims data showed that ATX and certain Wilderness AT tires built at the Decatur plant had a substantial number of tread separation claims.

During the first week of August 2000, Ford reviewed Goodyear tread separation claims data for the tire installed on the 1995-1997 Explorer. The data showed that the Goodyear tire performed substantially better than the Firestone ATX and Decatur-built Wilderness AT tires. It is important to note that the July 2000 claims data for Wilderness AT tires built at other Firestone plants did not show an elevated failure rate.
Firestone declared the ATX and Decatur-built 15-inch Wilderness AT tires defective and announced a recall of those tires in August 2000. At that time, Ford discontinued the recalled tires in Explorer production and helped Firestone administer its safety recall.

Ford received updated Firestone claims data in December 2000. Although the new data contained additional claims on non-recalled Wilderness AT tires, it did not show an elevated rate of tread separation claims. It wasn’t until May 11, 2001 that Ford received further Firestone claims data that showed elevated tread separation rates for certain additional Wilderness AT tires. By that time, Ford also had compiled substantial information about the performance of Wilderness AT tires from its extensive root cause investigation. This, coupled with other information obtained in the course of Ford’s investigation, formed the basis for the announcement of Ford’s Tire Replacement Program on May 22, 2001.

Please feel to call me at (313) 845-4320 if there are any questions.

Sincerely,

[Signature]

James P. Vondale

Attachment
1. **PROBLEM DESCRIPTION**

   While driving vehicle, the tire tread separated from the main carcass of the tire. The tire failure is discovered when the driver hears the tire tread hitting the wheel house or the tire goes flat.

2. **PROBLEM STATISTICS (MAGNITUDE OF CONCERN)**

   **A. VQQ (Vehicle Owner Questionnaire)**
   - VQQ Database is showing 2 reported tire separations on 1996 vehicles. Tire size is TBD on one vehicle because of no VIN number reported and the second vehicle had the P235/70R16.
   - Two (2) additional tire claims that might be tire separation on 1996 vehicles. Tire size is TBD on one vehicle because of no VIN number reported and the second vehicle had the P235/70R16.

   **B. AWS (Analytical Warranty System)**
   - Reviewed all 95/99 AWS claims (39) for tires with separations.
     Found no reports of tire separations.

   **C. CQIS (Common Quality Indicator System)**
   - Reviewed all 95/99 CQIS reports (497) for tires and wheels.
     Found one (1) report for Firestone tire separation on a 1998 vehicle, but it was the Firestone P235/75R15 tire size and not the P215/70R16 tire.

   **D. MORS (Master Owners Relations System)**
   - Reviewed all 95/99 MORS reports (4236) for tires and wheels
     Found 32 "possible" tread separation claims on Firestone (22) and Goodyear (10)
     3 of the 32 possible claims were for the P225/70R15 tire from Firestone
     10 of the 32 possible claims were for the P235/75R15 tire from Goodyear
     18 of the 32 possible claims were for the P235/75R15 tire from Firestone
     Found one (1) possible report for Firestone tire separation on P235/70R16, which sounds like it was caused by driving on a flat tire in the tire store to get air in the tire.

**REDACTED**

*Note: Tire build dates on OCC incident tires have been between 10/25/95 and 2/10/97.*
July 23, 2001

Peter Kiely
Committee Clerk
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515

June 19, 2001 Hearing – Firestone Tires

Dear Mr. Kiely:

This letter responds to your June 28, 2001 communication requesting written responses to certain questions raised during the Committee’s June 19, 2001 hearing on Ford’s Tire Replacement Program involving certain tires manufactured by Bridgestone/Firestone, Inc. Specifically, you identified two questions requiring written responses. We have paraphrased your questions and provided our responses below.

Question No. 1

Rep. Deal asked Mr. Nasser about Ford’s possession of Firestone field data when Ford made the decision in December 1994 to source 100% of Explorer tires to Firestone for the 1998 model year and Mr. Nasser committed to respond to that question.

Response

Ford did not receive the Firestone claims data that caused us to determine that a safety recall was necessary on ATX and certain Wilderness AT tires until July 28, 2000. Similarly, it was not until May 11, 2001 that Ford received previously requested updated Firestone claims data on the rest of the Wilderness AT tires that formed part of the basis for our decision to replace all remaining 15-, 16-, and 17-inch Wilderness AT tires on Ford products. As Mr. Nasser testified, Ford made its decision to source 100% of Explorer tires to Firestone for the 1998 model year in December 1994. Therefore, Ford did not possess the claims data indicating tread separation concerns on Firestone ATX and Wilderness AT tires in December 1994 when the decision was made.
Question No. 2

Rep. Towns asked Mr. Nasser for information about the percentage of Firestone tread separation claims originating in the "hot weather states." Mr. Nasser answered that the majority of reports came from the hot weather states, but that Ford would need to respond later with the exact percentages.

Response

Ford has categorized Arizona, California, Florida, and Texas as "hot weather states" for the purposes of analyzing tread separation claims data. While other states may also experience hot weather, these four states consistently have demonstrated the highest rates of tread separations on Firestone ATX and Wilderness AT tires. Including the latest claims data received from Firestone on May 11, 2001, abc 72% of the tread separation claims originated in these four hot weather states.

Please feel free to call me at (313) 845-4320 if there are any questions.

Sincerely

James P. Vondale
Jul 23, 2001

VIA HAND - DELIVERY

The Honorable James C. Greenwood
Chairman, Subcommittee on Oversight
And Investigations
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515-6115

The Honorable Cliff Stearns
Chairman, Subcommittee on Commerce,
Trade and Consumer Protection
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, DC 20515-6115

June 19, 2001 Hearing - Firestone Tires

Dear Chairman Greenwood and Chairman Stearns:

Ford would like to take this opportunity to provide additional information related to some of the subjects that Mr. Nasser addressed during his testimony on June 19, 2001 as well as to clarify some of the details of his testimony. This information supplements our responses to written requests for further information from Mr. Peter Kirby on June 28, 2001 and Chairman Stearns and Greenwood on June 29, 2001. The format of this letter provides page number references to the unofficial transcript along with relevant excerpts from the testimony.

Pages 67-68

Chairman Stearns asked Mr. Nasser about the statistical significance of Ford's temperature testing of Firestone tires and Mr. Nasser offered to provide that data to the Subcommittee in the following exchange:

CHAIRMAN STEARNS: Was that decision
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1 on your part or that test dealing with temperature,
2 which I'm from Florida, it's a very important test,
3 I'm trying to understand how you could make a
test decision under that kind of statistics where you had
5 33 were Firestone and out of the 40 --
6 MR. NASSER: Every test that we did
7 went through a statistical analysis in terms of its
8 significance and we will share that data with you
9 and if you look at it, we believe it is
10 statistically significant.

Farlane Plaza South
330 Town Center Drive, Dearborn, Michigan 48126-2738 USA
As part of our responses to questions posed by Subcommittee staff prior to the hearing, Ford provided the information related to the temperature testing that includes its statistical significance. That data can be found in our June 8, 2001 submission in response to Question 7 in attachment Q7-2.xls. Another copy has been provided with this letter.

Page 99

In his testimony regarding how Ford made tire sourcing decisions between Firestone and Goodyear, Mr. Nasser stated that Firestone was “ranked as the No. 1 quality tire supplier.”

MR. NASSER: It is, and I should say we’re perhaps painting everything in a very negative sense here. Firestone and Ford had a very long history, and Firestone produced incredibly good tires over a long, long period. And during that period when — in the early ’90s, when the sourcing decisions between Firestone and Goodyear were being undertaken by the company, Firestone ranked as the No. 1 quality tire supplier, so there was no question at that point of Firestone’s quality and their commitment to high standards.

The rankings to which Mr. Nasser refers in his testimony are part of an internal process in which Firestone was ranked as the top overall tire supplier with quality being one of the factors in the ranking. In the years 1989 through 1999, Firestone was ranked as the top overall tire supplier in nine of the eleven years.

Pages 100-101

There was a discussion between Mr. Deal and Mr. Nasser about when the reports of more than 1,100 Firestone tire tread separations on Firestone tires became available to Ford:

MR. DEAL: Thank you, Mr. Chairman.

Mr. Nasser, in your opening statement (sic) you made a great deal about the differences between the Firestone tire's performance and a Goodyear tire performance, and the failure of Firestones in excess of 1,100 versus two failures by Goodyear. When did that information first become known to Ford?

MR. NASSER: We started to look at that information during last year’s 6 1/2 million recall. Up to that point — even the 1183, although it sounds like a high number, you know, when you're dealing with millions and millions of tires it
0101
1 really wasn't very evident to us, so it was during
2 the investigation of last year's recall.
3 MR. DEAL: So not until 2000 did
4 these statistics begin to attract any attention?
5 MR. NASSER: I'm sure they were
6 around both in the company and in the tire companies
7 as well, but they didn't raise the awareness to a
8 point where it was alarming to us.

It was not until July 28, 2000 that Ford received from Firestone the claims data that showed a
high number of tread separation claims. Once the data was made available to us, Ford acted quickly to
encourage Firestone to recall ATX and certain Wilderness AT tires in August 2000. In August 2000,
Ford also reviewed Goodyear's claims data. Ford subsequently received a letter from Goodyear
summarizing their claims data in September 2000. A further correspondence from Goodyear on June 5,
2001 reconfirmed their claims data.

Pages 102-103
In the following testimony, Mr. Nasser stated that the decision to source 100% of the Explorer
tires to Firestone for the 1998 model year was made prior to fitting any Goodyear tires on any Explorers.

10 MR. DEAL: So, if the chairman's data
11 of 1998 is correct when you switched to Firestone as
12 a sole source and dropped the Goodyear tires, which
13 in 2000 you learned had been performing very, very
14 well, you indicated that it obviously was not on a
15 price factor, because Goodyear had reduced their
16 prices greater than Firestone between '94 and '97
17 you said.
18 MR. NASSER: Yeah, Congressman, I
19 should say that the decision to drop the Goodyear
20 tires on Explorer was actually made before we fitted
21 the first Goodyear tire on an Explorer. So there
22 wasn't any field data available anywhere.
23 MR. DEAL: So it was -- so when you
24 say that you looked at the field --
25 MR. NASSER: We dropped the tire
0103
1 before it was even sourced on the Explorer. We made
2 the decision to source Goodyear and we made the
3 decision to de-source Goodyear on Explorer before the
4 first Goodyear tire was actually installed on an
5 Explorer.
While our records do not allow us to determine precisely when the first Goodyear tire was fitted to an Explorer in the assembly plant, the beginning of production for the 1995 Explorer was in November 1994. The decision to source 100% of Explorer tires to Firestone for the 1998 model year was made in December 1994. Therefore, it is possible that some of the very first Explorers fitted with Goodyear tires at the assembly plant may have rolled off the line, but Ford did not have any data reflecting field experience with the Goodyear tires at that time.

Pages 109-110 and Pages 114-115
In the following question and answer, Mr. Nasser offered to provide additional information to clarify the tread separation reports on Ford Explorers and Rangers using the same Wilderness AT tires:

MR. GORDON: Okay. Yet you’re not having problems with Ford Rangers?
MR. NASSER: We’re recalling the Ford Rangers.
MR. GORDON: But did you have problems?
MR. NASSER: I think the incidence level is about the same in terms of the tread separation. I don’t think there’s any significant difference. But I’d have to get back to you on that.

Again, on pages 114-115, Mr. Nasser was questioned about tread separation rates for Explorers and Rangers equipped with the same Firestone tires:

Mr. Nasser, I just would like to point out to you from data that was supplied to us charged (sic) the Explorer and Ranger tread separation in rollover comparison 1993 through 2001 model years, the number of claims for a Ford Explorer was 299. The number of claims for the Ranger was apparently three. Well, let me compare ‘97 to 2001. In those cases it’s 299 versus three, so there does seem to be a significant number. I don’t know if that represents the percentage of vehicles on the road, but it seems to -- and the claims rate is a 47 rate -- claims per million with the Explorer versus only four. There seems to be a ten-fold difference between the Ranger and the Explorer, and I would ask to get a unanimous consent for a minute of time so you might respond to that since it seems to be quite different than the answer you responded to.
MR. NASSER: No. It's very much consistent. Ranger is having a problem. That's why we've recalled and replaced these tires. The Ranger 4x4 is the vehicle that has the tires that are also on the Explorer. The -- and the Ranger 4x4, with the Explorer tires, is a very small percentage of Ranger. So the sample size is small. That, in itself, isn't the issue. The other issue is that because they 4x4 models, they tend to be in the north, not in the south. And, in addition to that, it is used -- it's used Decatur tires on the 4x4, so you've got a mishmash of different geography, low installation rates on the 4x4 model, and a different plant, because of the heavy use of the --

CHAIRMAN GREENWOOD: I won't question those facts as you've just laid them out or take this any further than we need to, but I think you did respond to Mr. Gordon that the claims rates were similar.

MR. NASSER: They are similar when you adjust to an apples-to-apples comparison.

CHAIRMAN GREENWOOD: That may be a fair answer that when you adjust out for climate and so forth, that -- so I don't have data on that.

While the Explorer and Ranger have different overall tread separation rates, as Mr. Nasser explained, that is not an apples-to-apples comparison. Indeed, Mr. Brian O'Neill, head of the Insurance Institute for Highway Safety, pointed this out in the June 1, 2001 issue of Business Week when he described an Explorer-Ranger comparison as "an apples-to-oranges comparison that has no validity in my opinion." The difference in tread separation rates can be more than explained by several significant differences in the geographic distribution and use of the two different vehicles. As Mr. Nasser indicated, the tire size at issue, P235/75R15, was used as original equipment only on 4x4 versions of Rangers, while that tire was used on both 4x2 and 4x4 Explorers. This difference is significant in that 4x2 vehicles are much more likely to be sold in hot weather states where tread separation claims predominate. (Based upon Firestone claims data, the hot weather states of California, Florida, Texas, and Arizona account for approximately 72% of all tread separations.) When the data is analyzed to properly account for this one variable by restricting the analysis to these four hot weather states only, the ratio of tread separations on Explorer (338 ppm) compared to Ranger (161 ppm) is 2 to 1, not the ten-fold difference discussed at the hearing.
In addition to the significant geographic effect noted above, tread separation rates for any compact pickup truck (such as the Ranger) would be expected to be lower than for any compact sports utility vehicle (such as the Explorer). Our analysis and the field data show that higher speeds, higher temperatures and higher loads can increase the risk of tread separations. Comparisons of typical usage patterns between compact pickups and SUVs suggest that these tread separation risk factors would apply differently to Explorers and Rangers. SUVs’ travel many more highway miles than pickup trucks as SUVs have become a favorite choice of American families for traveling long distances for vacations. They offer a combination of seating capacity to carry four or more people with additional storage for luggage along with off-road capabilities in the event the vacation involves camping or other outdoor activities. A compact pickup truck like a Ranger does not always offer this same versatility.

Finally, Firestone tires fitted to Rangers demonstrated a substantially higher tread separation rate than Goodyear tires fitted to Explorers. When subjected to higher temperatures, speeds, and loads, certain Wilderness AT tires have demonstrated an elevated rate of tread separation without regard to the vehicle to which they are fitted.

Pages 154-155

In the following testimony, Mr. Nasser was asked to compare the testing of Mr. Guenther to Ford’s testing of SUV handling characteristics.

MR. NASSER: We have looked at the study that Firestone commissioned on the handling of Sports Utility Vehicles and we think that study is seriously flawed. We do not agree with it and we think the sample for the testing was inadequate to draw any meaningful conclusions at all. They used three vehicles compared to 15 that we used. They tested a limited number of models, they only tested on one road surface. They did not test under actual event of tread separation and the data is inconsistent with real world data.

We then looked at the criteria that they used. By the way, understeer/oversteer, in the Explorer is a very responsive vehicle but we used the criteria that Firestone used in terms of vehicle handling and we looked at 19 other vehicles. 12 of the 19 vehicles would fall outside of the criteria that they established as a good handling vehicle.
In discussing the increase in the weight of the Explorer over time, Mr. Nasser offered to share more detailed information in the following excerpt:

MR. BRYANT: The load increase was insignificant?

MR. NASSER: The vehicle weight of the Explorer was insignificant. The data that you're looking at there is not apples to apples.

What they did, if you go back and look at the Explorer, there are optional -- there was optional equipment on the Explorer that was made standard. That optional equipment was heavily marked as options by our customers. So there wasn't a very large increase in weight at all. Insignificant weight.

MR. MARKES: 5,000 pounds to 5,600 pounds is more than a 10 percent increase in the weight of the vehicle.

MR. NASSER: That does not take into account optional equipment. The 5,000 pound and the 5,600 pound is standard equipment. If you add a typically equipped vehicle, the difference is very small. We can share that data with you.

Before we address the history of the changes in weight rating for Explorer vehicles, we want to emphasize two points that demonstrate Explorer weight changes should not be responsible for tread separations on Firestone tires. First, the maximum load rating of Explorer vehicles was always substantially below the load carrying capacity of the Firestone tires. The maximum load rating of the P235/75R15 tire at 26 psi inflation pressure is 1753 pounds. Total load capability of the four tires on the Explorer is 7012 pounds. The highest maximum Gross Vehicle Weight Rating (GVWR) for the Explorer was 5640 pounds leaving a comfortable 19.5% margin for the tires. Even when derated by 10%, according to Tire &Rim Association practice, the tire reserve load is 94 pounds, or at least a 6% margin for each tire. Second, Goodyear tires fitted to the same Explorer vehicles, specified at 26 psi and with the same weight changes, have not experienced a tread separation problem. The 1995 is model year that added standard features and more weight to the Explorer was also the model year that introduced Goodyear tires on the Explorer. While Firestone would like to claim that this additional weight played a factor in causing tread separations on their tires, Goodyear tires that met the same Ford requirements have not experienced a tread separation problem. Similarly, Goodyear tires were equipped on Explorers in 1996 when the 5.0L All Wheel Drive was introduced. Again, even with additional weight, Goodyear tires have not experienced a tread separation problem. There is simply no credible evidence that changes in the weight of the Explorer should cause tread separations on the Firestone tires originally equipped on the Explorer.
When the Explorer was introduced in 1991, the maximum 4.0L 4x4 Automatic GVWR was 5360 pounds. It increased to 5420 in 1992 and then to 5500 for the 1995 ½ redesign. The 1995 ½ redesign added standard features including safety equipment such as a passenger air bag, rear head restraints and adjustable shoulder harness D-rings, and functional equipment such as suspension changes, a larger fuel tank and 4-wheel disc brakes. The GVWR was increased to 5520 for the 1996 model year. The total GVWR increase was 160 pounds or 3% over 6 model years.

In 1996, the 5.0L All Wheel Drive Explorer was introduced. The GVWR for the heavier engine was 5600, which was increased to 5640 in 1997 where it remained unchanged through the 2001 model year. The increase over the 4.0L 4x4 Automatic was 120 pounds or about 2%. The GVWR change over 7 model years was 280 pounds or about 5%. Further, it is important to understand that this additional weight was distributed primarily to the front axle. Of the 280 pounds added to the maximum vehicle GVWR over the years, 210 pounds were added to the front axle weight rating primarily due to the 5.0L engine. (As you know, the large majority of reported tread separations involve rear tires.)

From this review of the Explorer weight rating history it should be clear that a claim that the weight of the vehicle rose 600 pounds over the model years is not supported by the facts. The maximum GVWR of the Explorer actually rose 280 pounds. The maximum GVWR for an Explorer in 1991 was 5360 pounds and the highest it ever reached was 5640 pounds.

Pages 164-165

In this section of the transcript, Mr. Nasser committed to provide more details about Ford's position regarding tire pressure monitoring systems.

MR. SAWTER: In our last hearing --

MR. NASSER: We will share that direction and specification. More than that, we're actually moving on it, we're incorporating inflation gauges in our vehicles almost as we speak and we'll lay out the plans that we've got in terms of the other technology that's coming into vehicles across the board.
Ford has been working with NHTSA to develop appropriate rules for tire pressure monitoring systems. Our position on tire pressure monitoring systems includes: 1) tire pressure monitoring systems are not a substitute for robust tire designs; 2) design flexibility is important to allow both ABS based and direct pressure sensor based systems; and 3) the rule should be consistent with available technology and safety needs so that systems do not provide excessive warnings to consumers, who then may disregard them in the future. Additionally, Ford supports the Alliance of Automotive Manufacturers' views that warning threshold values should be 20% below the Tire & Rim Association minimum recommended tire pressures or 20 psi, whichever threshold is higher, and that a phase-in for implementation is essential to allow for proper testing and design of systems for different vehicles.

Thank you for the opportunity to provide clarifying information to help the Subcommittee review these issues.

Sincerely,

James P. Vondale

Attachments
Question 7

Provide either the raw test data, or if an analysis has been completed, then the final analysis, on the temperature tests run on tires other than the Firestone AT 15" produced at the Wilson plant, and the Goodyear Wrangler RT/S 15" (p.44).

Response:

The Excel file Q7-1.xls provides summary tables of the raw data for the temperature response surfaces. We have included additional data for 15" Wilderness AT tires produced at the Wilson plant as well as the 15" Goodyear Wrangler RTS 15" tire. The Excel file Q7-2.xls provides calculations, graphs and plots of the tire surface temperature.

Click here for Q7-1.xls
Click here for Q7-2.xls
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July 20, 2001

Thomas DiEnno, Esq.
Deputy Chief Counsel for Oversight & Investigations
House Energy & Commerce Committee
2125 Rayburn House Office Bldg
Washington, DC 20515

Dear Tom:

Ted Heater asked that I forward the enclosed two original letters from Dan Adornitos, Division General Counsel of Bridgestone/Firestone, Inc., submitted in response to requests for information received by BFS in connection with the June 19, 2001 hearing.

Please note that the July 19 letter addressed to Chairman Stearns and Greenwood also contains two pages of claims data from Wilderness AT tires used by General Motors. I apologize that these two pages were not included in yesterday’s delivery.

The other enclosed letter is addressed to you, and responds to the questions submitted by Members of the Subcommittees at the hearing.

Please give me a call if you have any comments or questions.

Sincerely,

Allison Kassir
Government Affairs Representative

Encloures

cc: Edith Holleman
July 19, 2001

Thomas DiLengte, Esq.
Deputy Chief Counsel for Oversight & Investigations
House Energy & Commerce Committee
2125 Rayburn House Office Bldg.
Washington, DC 20515

Re: Follow-up to June 19 Hearing

Dear Tom:

Enclosed are two letters from Dan Adomitis, Division General Counsel of Bridgestone Firestone, Inc., submitted in response to requests for information received by BFS in connection with the June 19, 2001 hearing. As you can see, this information has been faxed to me, and we will forward originals to you when we receive them.

One of the enclosed letters is addressed to Chairman Stearns and Greenwood, in response to the nine questions attached to the June 29, 2001 letter from the Chairman to John Lamp.

The other enclosed letter is addressed to you, and responds to the questions submitted by Members of the Subcommittees at the hearing.

Please give me a call if you have any comments or questions.

Sincerely,

[Signature]

Envelopes

cc: Edith Hollmann
Daniel J. Adamitis  
Division General Counsel

July 19, 2001

Hon. Cliff Stearns  
Chairman  
Subcommittee on Commerce, Trade and  
Consumer Protection  
U.S. House of Representatives  
Washington, DC 20515-6115

Hon. James C. Greenwood  
Chairman  
Subcommittee on Oversight and Investigations  
U.S. House of Representatives  
Washington, DC 20515-6115

RE: Follow-up Items from June 19, 2001 Hearing

Dear Chairman Stearns and Greenwood:

The following materials are being sent to you in response to your letter to John Lampe of June 29, 2001 requesting additional information to be provided after the hearing in this matter. I am pleased to respond with the following information, numbered to reference to the nine points of your letter:

1. In Mr. Lampe's testimony he noted that "In the last ten days alone there have been four people that have been fatally injured in two separate Ford Explorer accidents in Venezuela on different brands of tires, not ours." Please provide further details on these accidents.

I enclose copies of two Venezuelan newspaper articles, together with translations, that provide details of the two Ford Explorer rollover accidents, both on non-Firestone tires, which occurred June 10 and June 11, 2001. Please see Appendix A for these articles.

We are aware of several additional Ford Explorer rollover accidents that have occurred in Venezuela since the June 19th hearing. I enclose a newspaper article and translation regarding one rollover accident on or about July 12, 2001, in
which three persons were severely injured in an Explorer, again equipped with non-Firestone tires. Please see Appendix A for this article as well.

2. What is a “judicial inspection”? Describe the process in Venezuela, the persons involved, the date of the inspections, and provide copies of any reports or analyses of the inspections.

A judicial inspection is a procedure authorized by Articles 1,429 and 1,430 of the Venezuelan Civil Code and Article 938 of the Venezuelan Civil Procedural Code, which is used to preserve evidence that might otherwise disappear or be modified by the time of a subsequent trial. An inspection is conducted by a Venezuelan judge or his or her designee, who actually views evidence and certifies a written document detailing the evidence as being an accurate description of the evidence. In the case of the judicial inspections conducted by Bridgestone/Firestone Venezolana, C.A. (“BFVZ”), the judge (or designee), accompanied by an expert mechanic, photographer and sometimes a BFVZ representative, actually went to the location of the wrecked vehicle to inspect its condition. The judge or designee then signed a written description of the wrecked vehicle, including the make and condition of its tires. Basic information about each judicial inspection, including its date, can be found on the spreadsheet at Appendix B.

3. Regarding the list of 43 Explorer accidents in Venezuela, are all the accidents on that list rollover accidents?

To the best of our knowledge, yes. The judicial inspections were generally made of vehicles shortly after the accidents occurred, rather than at the scene of the accidents. In order to determine if a judicially-inspected Ford Explorer had in fact been involved in a rollover accident, we reviewed (i) the written description of the vehicle (which often states directly whether a rollover occurred) and (ii) the photographs forming a part of the judicial inspection. In reviewing the photographs, we looked for clear indications of substantial damage to one side of the vehicle, to the roof of the vehicle (which often caves in during a rollover) and also to the vehicle's front or rear windshield: only if all three were present did we conclude that a rollover had occurred.

4. Are the accidents on the Firestone list of 43 included in the Venezuelan Consumer Protection Agency INDECU’s list of 51 and did Firestone provide its list to INDECU?

Firestone has fully cooperated with INDECU's investigation and has shared its list of accidents with the agency. We cannot confirm at this time whether the list of accidents maintained by INDECU includes all of the 43 accidents identified by Firestone.
5. Does the list of 43 include all of the accidents inspected by a judge at the behest of D/F? Please provide any other reports of judicial inspections that were obtained that are not in the list of 43.

No. Some judicial inspections were screened out because we were not sufficiently certain the vehicles involved had in fact rolled over, and others were deleted because a blend of tires had been mounted on them at the time of their accidents. Two judicial inspections were screened out because the vehicles involved were not Ford Explorers.

We previously provided the Subcommittee with a total of 47 judicial inspections of 43 Ford Explorer rollover accidents (multiple judicial inspections were performed on some accidents). Please find enclosed two sets of 16 additional judicial inspections of 12 additional accidents (not all of which are with Ford Explorers, and not all of which are rollover accidents). The grand total provided to you is therefore 63 judicial inspections of 55 accidents. Bridgestone/Firestone, Inc. has no further judicial inspections in hand, although our Venezuelan subsidiary continues to ask for them to be performed as additional rollover accidents occur.

6. Please clarify or provide additional details concerning the circumstances of the Explorer accidents in Venezuela, the place each accident occurred and the date each accident occurred.

As stated above, although judicial inspections are generally performed shortly after an accident occurs, they are usually not performed at the accident site. Therefore, we generally do not know specific details of the accidents, beyond what can be ascertained from the condition of the vehicle following the accident. Please see Appendix B for a spreadsheet listing the dates that judicial inspections were performed.

7. Provide any data you have on the rollover or accident rate of vehicles in Venezuela other than the Ford Explorer, or Venezuela rollover accidents involving vehicles other than the Ford Explorer.

We are not aware of an accurate, official count of rollovers or accident rates for vehicles other than the Ford Explorer in Venezuela. Please note that we believe there have been very few—if any—rollover accidents involving the Toyota Autana SUV, a heavy SUV equipped with Firestone Wilderness AT tires of the same size as those fitted to the Ford Explorer SUV. Although there are only about 6,000 Toyota Autanas in use in Venezuela (versus about 30,000 Ford Explorers), we have not seen reports of a correspondingly significant number of Toyota Autana rollovers in Venezuela.

8. Please provide data on the Firestone Wilderness AT tire performance in Venezuela. Include both the claims data and the adjustment data for each year.
since 1996. Please distinguish between Venezuela-made tires and tires imported from the U.S.

Please see the attached spreadsheets prepared by our Venezuelan subsidiary, which show available adjustment, claims and lawsuit information for Venezuela. Bridgestone/Firestone Venezuela did not separately track adjustment rates for US-made versus Venezuela-made Wilderness AT tires, so we regret we are unable to provide the information sought in the final portion of your request. Please see Appendix C for these spreadsheets.

Please also find an English language transcript of the video we previously sent to the Subcommittees after the June 19 hearing. The transcript is at Appendix D. As you will recall, the video shown before and after views of the underside of a Ford Explorer SUV, which was taken to a Ford dealer for the Ford of Venezuela-sponsored “suspension upgrade package” last year. As you will see, and as the persons in the video comment, not only did the Ford dealer place competing brand tires on the vehicle, but the dealer also fitted new shock absorbers and a heavy steel subframe or reinforcing bar.

9. You have often stated GM (among other manufacturers) use Wilderness AT tires and have not had problems. Please provide data proving the Wilderness AT tires used by GM and the Wilderness AT tires used by Ford are identical in every respect, i.e., wedge size, tread, etc. If they are not identical, please explain why and give details on specifications used by each variation of Wilderness AT’s and claims data for all.

Though they are very similar in overall construction there are differences between the specific Wilderness tires furnished to General Motors and the Wilderness tires furnished to Ford. The attached charts detail the differences in materials and construction. Differences typically are the result of differing performance specifications and qualities specified by the OEM for the vehicle. Also attached is the claims data charts showing the extremely low incidence of claims associated with the General Motors tires.

I hope this information is helpful and addresses the Committee’s questions.

Sincerely,

[Signature]

Daniel J. Adonis
APPENDIX A

Venezuelan Newspaper Articles and Translations

[Translation of the article titled “Mueren un comerciante y su ayudante en vuelco de camioneta” from the “La Mañana” newspaper (Venezuela)]

Businessman And Assistant Die When Truck Overturns

Two young men were killed when the truck they were traveling in turned over in the traffic circle of Redoma de El Tacarí. The accident took place on Sunday morning.

One of the victims was José Luis Dos Barros Velasco, aged 32, born in the city of Valencia, Carabobo state, who lived in an apartment of the San José building, Comercio de Caja de Agua street. He was the manager of the company Detroit Parts and a confectionery distribution company.

The other man who died in the accident was Javier Eduardo Sierraitte Galicia, aged 27, born in Punto Fijo, who resided at Providencia de Caja de Agua street. He had been working as Dos Barros’ assistant for four months and before that he had worked as a taxi driver in Línea Altamira.

They had worked all Saturday around the beaches of the municipalities of Falcón and Los Taques. The car accident took place after leaving Villa Marina when they were heading home.

It seems that the truck, a metallic green Ford Explorer, license plate LAB-51C Mérida, driven by Dos Barros, missed the turn, went straight to the traffic circle and suddenly overturned, killing both men instantly.

After a few hours, the bodies were taken in a crane to the morgue of the Doctor Rafael Celles Sierra Hospital, due to the fact that the authorities did not have a truck for this kind of case.

According to the autopsy, the first above-mentioned man fractured his skull, suffered hypovolemic shock, had an explosion of the liver and a broken right leg.

The other man had multiple fractures in his skull with encephalic mass loss and facial fracture.
En la Redoma El Taparo

Muertos un comerciante y su ayudante en vuelco de camioneta

Una de las víctimas del trágico accidente fue José Luis Don Barros Velasco, de 52 años de edad, nativo de la ciudad de Valencia, estado Carabobo, y con residencia en un apartamento del edificio San José, calle Comercio de Caja de Aguas. Era gerente de la empresa Deepoli para y una distribuidora de carnicería.

La otra persona fallecida fue Javier Eduardo Sánchez, 27 años de edad, natural de Puerto Río, y residiendo en la calle Providencia de Caja de Aguas, tiene cuatro meses trabajando como asistente de Don Barros y suaves patos laborando como taquero en la Larde Autónoma.

Se conoció que ambas habían tenido el día sábado por las playas de los municipios Palmitos y Los Teques y el accidente ocurrió a la salida de Villa Marista rumbo a sus domicilios.

El vehículo, una camioneta Ford Explorer, color verde y matrícula placas LAB-512 Mérida, conducido por Don Barros, al parecer, no dio la debida curva, salió hacia la redoma para volcar accidentadamente, con el lamentable resultado de la muerte en forma instantánea de los dos personas.

Los cuerpos sin vida fueron llevados en una grúa a la Minguada del Hospital de Aragua Rafael Cabello y fueron llevados unas dos horas, por cortarles las arterias principales con una furgoneta.

De acuerdo a la necropsia, el promedio de las lesiones presentadas en el cuerpo fueron hinchazón y hematomas, del ligamento y fractura de la pierna derecha.

Fueron identificados, fracciones múltiples en el cráneo con pérdida de la masa ósea y fracturas faciales.

En La Vega del Tuy en el municipio Unión

Asesinado comerciante

Sujeto hirrió a dos mujeres

Joven es golpeada salvajemente para ser atropellada

Frente al terminal de pasajeros
Engineer, Passenger Die When Truck Overturns Near Caseto

The victims of this horrible accident were identified as Jacinto González (58) and José Angel Arias Primera (34). Both died instantly as a result of an accident that occurred at approximately 1:00 a.m. on Monday morning.

Luis G. Villalobos
C.N.P.: 2857

A retired PDVSA engineer and his passenger died instantly when their vehicle overturned on the Coro-Punto Fijo Highway, near Caseto. The accident was reported to have taken place on early Monday morning.

MEDANO Daily reporters obtained unofficial reports about the accident from trustworthy sources. The vehicle, a green Ford Explorer, license plate IAT-881, was driven by Mr. Jacinto González (58), an engineer from the city of Coro, who lived at 201 13th Street in the Judibana sector. The pathologist at Dr. Rafael Calles Sierra Hospital, which is part of The Venezuelan Social Security Health System (IVSS), reported that the victim had experienced general trauma, cranial fractures, and multiple lacerations.

The second victim was identified as Mr. José Angel Arias Primera (34), a native and resident of El Cerro sector. He lived in house number 39 in the Santa Cruz de Los Teques municipality. The victim worked for a transportation business in Puerto La Cruz and was the only other passenger in the vehicle. He was said to have suffered general trauma, closed chest trauma, hemomeciatirum, bilateral pneumothorax, and rupture of the thoracic aorta.

THE FACTS

Families of the victims were involved in morgue proceedings at the Rafael Calles Sierra Hospital, which is part of the Venezuelan Social Security Health System (IVSS). They reported that Mr. Jacinto González and his passenger had left Barcelona, in the state of Anzoátegui, and were headed toward the state of Falcón. Before reaching the Paraguán Peninsula, they drove to Uriá, located in the Sierra Falconiana, where Mr. González owned a hacienda. He made some arrangements there and both decided to drive toward this area. Unfortunately, as they drove on the Coro-Punto Fijo Highway, the car suddenly overturned near Caseto, ejecting the driver and the passenger some 50 meters. The vehicle remained on the Coro-Punto Fijo Highway near Caseto sector.

About eight months ago, Mr. González retired from his job at PDVSA as Assistant Manager of the Flexocuero Plant. His passenger, Mr. José Angel Arias Primera, who worked at a transportation business in Puerto La Cruz, was headed toward the Paraguán Peninsula to visit family. Mr. Arias Primera is survived by four children. Mr. González leaves behind six. The bodies of both men were rescued by the Commission for Civil Protection of the Falcon State Police. The case has been reported to said entity and to the National Transportation Investigation Authority.
Muere ingeniero y su acompañante en vuelco de camioneta en Caseto

Las víctimas de este inamovible suceso vial fueron identificadas como Jacinto González (58) y José Ángel Arias Primero (34), quienes evacuaron en forma instantánea, en hecho que registró aproximadamente a la una de la medianoche de ayer lunes.

La información fue obtenida por la policía del Ministerio de Protección Civil y del Ministerio de Seguridad Ciudadana, quienes confirman que el suceso vial respondió a un vuelco de camioneta, que se registró en la calle 13, casa número 20 de la parroquia de Caseto, quienes son el conductor de la camioneta Ford Explorer, amarrada en el lugar, de cierto conocimiento, mientras que poco después del accidente, los mismos vecinos de la zona, observaron que la camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.

Los hechos
Según testigos del lugar, algunos vecinos de la vivienda, quienes se encuentran en las dependencias de la parroquia de Caseto, observaron que la camioneta Ford Explorer, amarrada en el lugar, de cierto conocimiento, mientras que poco después del accidente, los mismos vecinos de la zona, observaron que la camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.

Arrollados un ciudadano

El hombre murió en los primeros minutos de la mañana, en la parroquia de Caseto, al ser alcanzado por un accidente de tránsito, en el cual falleció en el sitio, mientras que poco después del accidente, los mismos vecinos de la zona, observaron que la camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.

La camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.

La camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.

La camioneta Ford Explorer, que había perdido la controlación, había impactado contra un árbol, causando daños materiales y personales.
El Siglo Newspaper, July 13, 2001

State of Carabobo

New Explorer Accident Leaves Three People Badly Injured

Three people were injured in a mid-day traffic accident that took place between the Guacara and Maraca tolls in the State of Carabobo. The vehicle, a Ford Explorer truck, license plate GAC-21C, apparently rolled over in the accident, reported Alfredo Valera, President of Asocexplor. Mr. Valera traveled to the scene of the accident and commented that Goodyear tires were mounted on the vehicle.

Accidents in these deadly vehicles continue, and Ford remains unwilling to publicly admit its trucks have a mechanical defect and insists on blaming the accidents on faulty tires. The Federal Government should address these actions, while the National Assembly should step up and deliver the results of its investigation of this matter, which continues to claim more lives.

The victims injured in this new accident were identified as 20-year old Luis Ramirez, 20-year old Erika Ramirez, and 21-year old Blanca Quemales. All three were taken to La Victoria de Valencia Medical Center. A fourth unidentified person was injured and treated for minor injuries at an outpatient clinic.
En el estado Carabobo

Nuevo accidente con camioneta Explorer deja gravemente heridas a tres personas

El accido...
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<th>License Plate</th>
<th>Date of Inspect</th>
<th>Type of Accident</th>
<th>Notes</th>
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**APPENDIX E**

Spreadsheet Listing Key Details of All Venezuelan Judicial Inspections
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<th>Type of Accident</th>
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APPENDIX C

Spreadsheets Showing Adjustment, Claims and Lawsuit Data for
Bridgestone/Firestone Venezuelan, C.A.

### O.E. ADJUSTMENTS

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<th>Country where adjustment occurred</th>
<th>Year of Adjustment</th>
<th>Number of Total Adjustments</th>
<th>Number of Tread Separation Adjustments (contigs 129, 130, 131, 135, 140, 142, 143, 145, 146, 236)</th>
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**NOTE:** Up to October 1999, an unknown quantity of USA produced tires were included in the adjustments data for sizes P235/70R-16 WILDERNESS AT and P235/70R-15 RADIAL ATX II both made in Venezuela.
### O.E. CLAIMS

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NOTE: Records for claims made by customers, which are of a nature different than adjustments, were not kept by Bridgestone Firestone Venezuela, C.A. until 1997. When Legal Department was created. The USA recall made by Bridgestone Firestone Services related to tires manufactured in its Drear Plant had no impact in Venezuela. The number of claims has decreased dramatically given that Ford Explorer rollovers with tires of another brand has been widely publicized by the Venezuelan media. We believe that such rollovers are higher in number than the rollover without our tires, with or without tread separation. This latter statement is confirmed by the fact that Bridgestone Firestone Venezuela, C.A. has, for the last five consecutive months, broken its monthly sales record.
### Bridgestone Firestone Venezolana C.A.

#### O.E. LAWSUITS

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**NOTE:** BRIDGESTONE FIRESTONE VENEZOLANA C.A. HAS NO LAWSUITS
APPENDIX D

Transcript of Videotape Showing Underside of Ford Explorer
Before and After Ford of Venezuela Suspension Upgrade Package

MODIFICATIONS TO EXPLORER SUSPENSION BY FORD OF VENEZUELA

[00:30]
Well, once the modification has been made /.../ we remove the spare tire to /.../ see how much pressure the dealership put in the tire. They used a WRANGLER RT/S 205/70R16.

[01:04]
The spare tire that they are using or that they used with this truck is a RT15, 235/75R15, with 32 lbs. of pressure.

[01:29]
Let's check the pressure in the other tires.

[01:37]
[checks the pressure in the right rear tire] 30 lbs. -- a little below the recommended pressure for the right rear tire.

[1:46]
[checks the pressure in the right front tire] also 30 lbs.

[1:52]
Let's go to the other side of the truck.

[2:04]
[checks the pressure in the left rear tire] 34 lbs.

[2:14]
[checks the pressure in the left front tire] 30 lbs.

[2:16]
Three of the tires have 30 lbs. of pressure, while the left rear has 34 lbs. of pressure. And the truck just came from the dealership.

[2:25]
[shows the rear shock absorbers] Let's see what kind of job they did with the truck.

[2:30]
The shock absorbers really were replaced.

[2:41]
It can be clearly seen that they are newer; or more precisely, that they are new. They are very clean. Correct.

[2:51]
Secondly, the bar you can see now was installed. This is what they call the crossbar.
And this piece, which holds the spare tire, was also welded. Since it was welded, there’s a part where it was painted, which is what we are focusing on right now.

This is the work they did on the underside of the truck.

Here we can see a little more.

And now, from another angle, we can see the specifications of the shock absorber that was installed.

We’re showing what we’re showing now because they insisted that the bar supposedly had to be replaced in order for the shock absorber to be installed.

Let’s go to the front now. As promised, only the shock absorber was replaced. We’re in the front left part of the truck.

From what we can see, no other parts besides the shock absorber were replaced; let me repeat that I’m in the front.

One thing that I want to point out: none of the valves were replaced; they didn’t even put valve caps on. This work was poorly done.

We can see exactly the same situation on the left rear side: it still has the old valve.

Another thing we want to point out is the amount of lead tire weights required.

The right rear tire: 4 ounces. It only has weights on the inside.

Half an ounce on the right rear.

Let’s go to the front now. The left front tire: 3 ounces; it also has weights on the inside only. And only old weights.

The right front tire is in more critical condition: 7 1/2 ounces. Of course, these are also old weights.
Tire Specification Information

Bridgestone/Firestone, Inc
June 14th, 2001
## Tire Specification Comparison

The same color in the box indicates same specification or property.  
The different color in the box shows separate specification or property.

| Vehicles | Ford Explorer | Chevrolet Tahoe, Silverado  
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
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</thead>
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<tr>
<td></td>
<td></td>
<td>GMC Yukon, Denali XL, Sierra</td>
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</table>

<table>
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<tr>
<th></th>
<th>P235/75R15 105S</th>
<th>P235/75R15 105S</th>
<th>P265/75R16 114S</th>
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<tbody>
<tr>
<td>Tire Size</td>
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</tr>
<tr>
<td>Tread Design</td>
<td>Radial ATX II</td>
<td>Wilderness AT</td>
<td>Wilderness AT</td>
</tr>
<tr>
<td>Shoulder Pocket</td>
<td>Wide &amp; Steep</td>
<td>Not Steep</td>
<td>No shoulder pocket</td>
</tr>
<tr>
<td>Shoulder Drop</td>
<td>15%</td>
<td>15%</td>
<td>10%</td>
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<tr>
<td>Tread Rubber</td>
<td>A</td>
<td>B</td>
<td>C</td>
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Shoulder pocket design of ATX II is one of the root cause factors. Wide and steep pocket geometry of ATX II, only when combined with other factors, increased the claim rate.

Tread designs for Chevrolet and GMC do not have shoulder pocket.

The pictures, in this page, are shoulder view of P235/75R15 for Ford Explorer and a part of "Summary Root Cause Analysis" that was released December 19th 2000 at BFS web site.
The tread designs for GM does not have shoulder pocket.
Shoulder Drop Ratio

Shoulder drop ratio was investigated as a part of root cause analysis with FE Modeling.

FE Modeling indicates higher shoulder drop generates directionally higher stress at belt edge.
# Tread Rubber Comparison

The same color in the box indicates same specification or property. The different color in the box shows separate specification or property.

<table>
<thead>
<tr>
<th>Vehicles</th>
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<th>Chevrolet Tahoe, Silverado</th>
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<tr>
<td>Oil Weight %</td>
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Supplemental Information

LEGEND FOR VEHICLE CODES

a = Explorer
a' = Explorer Sport
b = Ranger
c = F-150
d = Expedition
### Supplemental Information / Construction

The same color in the box indicates same specification or property.
The different color in the box shows separate specification or property.

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<td>E</td>
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<td>F</td>
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(thru 12/31/00)

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July 20, 2001

Mr. Bruce Winn
House Energy and Commerce Committee
264 Ford House Office Building
Washington, DC 20515

Dear Bruce:

Ted Hester asked that I forward to you the original of the Bridgestone/Firestone, Inc.

Sincerely,

Allison Kasir
Government Affairs Representative

Enclosures

cc: Tom DiLenge, Esq.
Daniel J. Ademitis, Esq.
July 18, 2001

Mr. Bruce Gwinn
House Energy and Commerce Committee
564 Ford House Office Building
Washington, DC  20515

Dear Bruce:


You will note that in response to Question 5, the enclosed letter suggests that someone from BFS bring in the detailed specifications that reflect changes in the tires from year to year, and discuss them with you. That appears to be the most efficient way to review the changes, and if you will give me a call, we will coordinate such a meeting at your convenience.

Sincerely,

Theodore M. Hester

Enclosures

cc:  Tom DiLenge, Esq.
Daniel J. Automatis, Esq.
BRIDGESTONE/FIRESTONE, INC.

Daniel J. Adomitis
Division General Counsel

July 18, 2001

Hon. John Dingell
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515-6115

RE: Requested Information

Dear Congressman Dingell:

I am writing to provide information in response to your letter to John Lampre of July 5, 2001 requesting further information relative to the June 19, 2001 hearing. Many of the questions are quite sweeping in their scope, but I will nevertheless try to answer them in as much detail as reasonably possible. I have numbered our responses to match the questions, although much of the information provided in the answer to Question 1 will also be responsive to several of the subsequent questions.


The Akron Beacon Journal article attached to your letter correctly notes that during the first three years of the 1990's, Bridgestone/Firestone, Inc. ("BFS") incurred losses of approximately one billion dollars. Although the article discusses a "five year plan" from 1993-97, it also states that the "turnaround" of BFS actually began in 1992. The fact of the matter is that BFS undertook numerous efforts focused on improving productivity and competitiveness throughout the decade of the 1990's. Many of these projects began well before 1993 and continued during some part of the stated period. Although I have not been able to identify a specific program that is precisely defined by the period stated in the article (1993-97), I will discuss the major initiatives that occurred in and around this period.
The financial, competitive and technological condition of BFS in the 1990's really begins with an extensive study that BFS initiated in 1990 of the competitive environment within the tire industry. This "benchmarking" effort generally revealed that BFS was not competitive in many respects with other major tire manufacturers.

First, BFS had lost approximately $916 million through 1993. Net income in 1994 was $29 million. Despite an equity infusion by the parent company, Bridgestone Corporation, of $1.5 billion, BFS remained $2.3 billion in debt by 1993. (No capital transfers or extraordinary payments were made to the parent company, other than for the purchase of goods and services). Average selling prices for BFS' products were continuing to trend downward. Productivity improvements required increasing amounts of capital investment. Net sales from 1990-91 actually decreased, with only minor improvement in 1992. Cash flows were negative from 1990 through 1994.

One of the first programs designed to help BFS achieve greater competitiveness was to adjust down the size of BFS. This occurred through selective reductions in salaried enrolment achieved primarily in 1991 and 1992. Further reductions in the size of BFS occurred with the relocation from BFS' extensive headquarters complex in Akron, Ohio to a smaller, more efficient headquarters operation in Nashville in 1992. At the same time, BFS began focusing its diverse operations into 21 "SBU's" (strategic business units), each dedicated to particular markets and operations.

Beginning in 1990, BFS began to improve plant productivity by focusing on its manufacturing process and increasing plant output. "Throughput" and de-bottlenecking techniques were implemented. "Kaizen" (continuous improvement) techniques were also implemented at each plant. Technology transfers and exchanges with Bridgestone Corporation were key focus areas in the period from 1990-92.

In 1992 BFS began to address the competitiveness and productivity of its manufacturing operations under the collective bargaining agreement with the United Rubber Workers at six "Master Contract" plants. BFS began a comprehensive study of worker productivity. By this time, it had become evident that the productivity levels of the BFS plants were dramatically below major competitors. Much of this was attributed to the inflexibility of the 1991 collective bargaining agreement to allow BFS to economically operate the plants on a seven day, "continuous operations" basis. The result was that valuable, capital-intensive plant capacity was going unused at BFS plants. Continuous operations existed in one form or another at a number of competitive facilities, particularly those that were determined to be operating more productively than the BFS Master Plants. While productivity levels at BFS master plants were low in comparison to the industry, wages and benefits were among the highest. This productivity gap presented what BFS perceived as a "compelling need to change."

Negotiations between BFS and the URW commenced in 1994. Despite good faith negotiations, an impasse in negotiations was reached and, in July 1994, a strike was declared by the URW at all six facilities. In the absence of an agreement, BFS implemented terms and conditions and continued production at all facilities with
temporary replacement workers. With the need to begin continuous operations at these plants becoming critical, BFS hired permanent replacement workers in 1995 and began seven-day operations. In 1996, BFS reached agreement on a new collective bargaining agreement with the union (now the United Steelworkers of America "USWA"), preserving the continuous operations schedule and other needed productivity enhancements in the new agreement.

Another broad initiative was the P2000 program, developed for the period 1995-1999 with the general goal of substantially improving BFS' competitive position and reducing BFS' debt burden by the end of the decade. This program had several parts. One part focused on steadily building market share. Another aspect of the program centered on achieving better utilization of BFS' working capital. Yet another part of this later program, known as "C95," focused on improving manufacturing productivity.

The C95 program entailed a broad spectrum of enhancements that continued BFS' focus on improving company productivity. It included efforts to standardize component combinations and tie building systems within the plants, de-bottleneck the flow of operations and materials, improve material usage and processing technology, improve production reliability, reduce non-operating time ("NOT"), increase economies of scale, improve workforce competency, reduce waste and scrap levels and many other productivity improvements in the plants. Sometimes these efforts may have increased cost, but improved productivity. Undoubtedly, the largest group of C95 changes involved the reduction of non-operating time and the successful implementation of seven, continuous operations in 1995 (and the other productivity changes that would ultimately become part of the 1996 collective bargaining agreement). The BFS goal was to produce a tire that was "equal to or better than" the original product. This program also overlapped with a company mandate to certify all of its tire plants to ISO 9000 quality standards by 1998.

Another major productivity focus during this period was the H2000 program. This program sought to make BFS more productive through the enhancement of business information systems. Initiated in early 1996 and conducted until 1998, H2000 sought to improve productivity in order entry and tracking, supply chain planning, forecasting, manufacturing, warehousing and distribution, customer interfaces and other administrative services.

Supplier relationships during this period remained very stable, with the top 10 suppliers doing business with BFS for over 20 years. Efforts were made with many of these suppliers to improve pricing, enhance discounts or extend payment terms.

In terms of Original Equipment ("OE") sales during this period, BFS' share remained relatively stable at approximately 18% during most of the mid-1990's. Its share at Ford Motor Company ranged from 31-38% during the same period, with most of the variation occurring during the UAW strike period 1994-95. Specific information by year follows. Each column is reported as "All BFS Brands" (but sales to Ford were exclusively Firestone brand):
612

<table>
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<th>Year</th>
<th>OE Share (%)</th>
<th>Ford Share (%)</th>
<th>Rep. Mkt. Share (%)</th>
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In the introductory paragraph of your letter, you also inquired regarding the “durability” of Firestone tires produced before and after the period from 1993 to 1997. In this regard, I am attaching a chart detailing returns of Firestone passenger tires for separations from 1993-2000 (which would include tires in the “P-metric” Wilderness lines). As you will see from the chart, the general level of returns remains stable or trends downward during this period.

2. “Goodyear Restructuring”

Obviously, our access to Goodyear information is generally limited to that which is publicly available. In terms of Goodyear’s restructuring and other efforts in the early 1990’s, it is our belief that many of the same type of changes that were taking place at BFS were also occurring within that company as well. We are aware that Goodyear began restructuring and aggressively pursued the downsizing of its operations. It had dramatically improved its cash flow and earnings. Later in this period it began realizing operations such as Kelly Springfield into an operating division of Goodyear. It also began a process of rationalizing its North American distribution systems and expanding its computerized customer interfaces. In terms of continuous operations, at the time of the 1994 BFS negotiations, Goodyear had already secured the right to operate on this basis at five of its North American plants. (Lawton, OK; Guadalupe, AL; Medicine Hat, Alberta; Valleyfield, Quebec; Napasau, Ontario).

3. “Cost-cutting Initiatives and Programs”

Please see response to Question 1 for a discussion of productivity improvement efforts conducted by BFS during the 1990’s.

4. “Annual Company Cost Reduction Goals”

Enhancements to productivity are a continuing goal at BFS, as at most companies. The only record of a true company-wide cost reduction goal we have identified during this period is for 1994, in which a 5% reduction goal was set. In terms of the manufacturing operations, for each year during the stated period a total factory cost per thousand pounds
processed "$/M lb" budgetary goal was set. This figure embraces both material and conversion/processing costs. Individual plants also set various plant-specific targets to help achieve the overall goals. The following table reflects the overall goals for each year and the actual performance in relation to goal (obviously in this case, actual costs in excess of goal are undesirable):

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<td>1293</td>
<td>1202</td>
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*This data is highly proprietary information and constitutes trade secrets of BFS.*

5. "Product Changes"

Detailed specifications reflecting the materials and construction for the P235/75R15 Radial ATX II and the Wilderness AT from year to year will be made available to you and your staff for review. This is proprietary information and constitutes trade secrets of BFS. Additionally, it is likely to be difficult for your investigators to interpret. May we request the opportunity to bring those specifications in for review by your staff at a convenient time when we can have a representative present who can discuss the specifications, (including any that may have had a cost-reduction aspect) with your staff. Ideally we will be able to satisfy your need to review these materials without making copies of them.

In terms of the communication to Ford of information regarding changes in the product, there was certainly substantial and detailed discussion of the changes in specification during the approval process for each major generation of the Radial ATX and Wilderness AT tire. Additionally, during the implementation of QS 9000 quality standards, the two companies discussed and agreed upon specific protocols for the communication of information regarding product changes. Changes made by BFS as part of its continuous improvement programs would not be channeled through a Ford approval process unless the change affected "form, fit or function" or unless it changed Ford's performance parameters or safety.

6. "Quality Assurance"

BFS has an extensive quality assurance program that was in place during this period. Like the tire industry generally, however, emphasis was placed on the use of adjustment information, field surveys, fleet studies and other testing and analysis to assess product performance. The adjustment database as a whole was reviewed annually. Specific tire adjustment data was reviewed on a more frequent basis as warranted.
Claims data was not traditionally used to assess product performance since this type of data was typically a much smaller dataset in comparison to the adjustment dataset, making conclusions very hard to draw. Although claims data was kept, it was primarily focused on promptly resolving customer property damage claims rather than as a tool for specific product analysis. As BFS committed in the hearings on this matter, it has now implemented, and will continue to improve, an early warning system incorporating the use of claims data as an additional component of its quality assurance systems.

7. “Levels of Tread Separation”

During the specified period, BFS primarily relied on adjustment data to assess product performance and conditions such as tread separation and nothing in that data alerted BFS to a problem with the Explorer tires. The adjustment rates for these tires were acceptable in light of the tire type, application and maturity of the tire populations. While adjustment rates can be expected to vary as a tire population matures and applications change, the overall adjustment rates for these tires were acceptable.

As discussed in the preceding paragraph, claims data was not used for specific product assessment. Although there were several instances in which BFS investigated the performance of the tire in specific applications, such as Sandi Arabia, it was BFS’ conclusion that the applications and harsh environments in which these tires were placed explained any incidence of tire separations.

I hope this information is helpful and addresses your questions.

Sincerely,

Daniel J. Adonis
July 30, 2001

Mr. Bruce Gwin
Professional Staff Member
House Commerce Committee
564 FHOB
Washington, DC 20515

Dear Bruce:

Attached is a letter from Dan Adomitis, correcting certain information contained in his July 18, 2001 response on behalf of Bridgestone/Firestone, Inc., to Congressman Dingell’s July 5, 2001 letter. I think this is self-explanatory, but please give me a call if you have any questions.

Sincerely,

Theodore M. Weber

Enclosure

cc: Thomas DiLenge, Esq.
Daniel J. Adomitis, Esq.
Elizabeth H. Jafari, Esq.
Daniel J. Adonis
Division General Counsel

July 30, 2001

Hon. John Dingell
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
Washington, DC 20515-6115

RE: Requested Information (Correction)

Dear Congressman Dingell:

On July 18, 2001 I wrote to you to provide information in response to your letter to John Lampe of July 5, 2001. One of the specific questions you asked involved whether the company had set cost reduction goals for specified years. In my response, I noted the following:

“Enhancements to productivity are a continuing goal at BFS, as at most companies. The only record of a true company-wide cost reduction goal we have identified during this period is for 1994, in which a 5% reduction goal was set.”

Since writing to you, it has come to my attention that in 1994, company wide cost reduction goals of 7.5% were also set for the years 1995, 1996 and 1997. Those goals covered sales and marketing, manufacturing and headquarters/corporate administration.

I apologize for not having this information available with my earlier response to you. I nevertheless hope it is helpful.

Sincerely,

[Signature]

Daniel J. Adonis
Daniel J. Adamitis  
Division General Counsel

July 19, 2001

Mr. Tom DiLenge  
Deputy Chief Counsel for Oversight and  
Investigations  
Committee on Energy and Commerce  
U.S. House of Representatives  
Washington, DC 20515-6115

RE: Follow-up Items from June 19, 2001 Hearing

Dear Mr. DiLenge:

The following materials are being sent to you in response to Mr. Bixby’s fax of  
June 28, 2001 to Beth Jafari of King & Spalding requesting additional information to be  
provided after the hearing. I am pleased to respond with the following  
information, organized by name of the member submitting the question.

1. Rep. Dingell

The questions posed by Rep. Dingell were restated in a July 5, 2001 letter from Rep.  
Dingell to Mr. Lamp, attached. Responses to Rep. Dingell’s questions are contained in a  
July 18, 2001 letter, also attached.

2. Rep. Gordon

Rep. Gordon requested documentation on four recent deaths attributable to Explorers in  
Venezuela. Attached are three articles (together with a translation) detailing this situation  
and a subsequent accident.
Rep. Gordon also requested a copy of the 43 judicial inspections of accidents in Venezuela. A total of 47 inspections (of the 43 accidents) have been provided to the Committee. We are also attaching 16 additional judicial inspections recently obtained.

Rep. Gordon also requested a copy of the Venezuelan newspaper article that quoted the president of the Explorer Owners Association as saying that the problem in Venezuela was not a tire problem, but a vehicle problem. A copy of the article is attached (together with a translation).


Rep. Deutch requested information as to whether Firestone “lightened” the tire used on the Explorer. Of course, there were several different tire sizes fitted to the Explorer. There was in fact a designed weight change resulting from the adoption of the modified P235/75R15 ATX tire. The weight change was less than 3% and was primarily due to the adoption of a standardized construction in the bead and in the lower sidewall. The standardized bead area construction adopted was that commonly used by all other Firestone tires of this size and load rating. These changes had no effect on the durability of the tire.

The P235/75R15 Wilderness AT was approved in 1995 as Design Specification “ST38J.” There was no design change to the specification of this tire to reduce weight. In fact, a larger wedge gauge was added in 1998.

With regard to the P255/70R16 Wilderness AT (not a recalled tire, but an available tire on the Explorer), the tire was introduced on 1995 Model Year Explorers as “ST358J.” In order to meet Ford’s performance specification it was necessary to use a heavier than standard wire belt package. By 1996, Ford had modified their performance specification such that the standard Firestone wire belt package met requirements and was approved by Ford. This specification became “ST369J” and did result in a slightly lower weight tire. There were no other design changes to this specification to reduce weight.

Though the record reflects the question as posed by Rep. Deutch, our hearing notes reflect that Rep. Deutch also inquired as to reports of Explorer rollovers on non-Firestone tires. We have attached a spreadsheet itemizing approximately 40 reports of Explorer (including one Navajo) accidents. The list has been compiled from numerous sources, but primarily media reports. Therefore, we can only “report the report” at this time.

5. Rep. Markey

Rep. Markey inquired as to documentation detailing what Ford and Firestone knew in the mid to late 1990’s regarding the understeer/oversteer problem in the event of tread/belt separation on the Explorer. Clearly, Firestone’s focus had always been the performance of its own products. Any general reference to understeer/oversteer in any materials generated prior to 2001 had little context to Firestone at the time. Obviously, we cannot speak with authority as to Ford’s internal knowledge during this period and it may
therefore be more helpful if this question were to be specifically directed by the Committee to Ford. To date, however, we have not been able to find any documents in the Ford document repository detailing any specific knowledge of this condition related to vehicle performance during a tread separation.


Rep. Stupak made inquiry regarding the weight shift of a vehicle such as the Explorer during a tread separation. This issue has not specifically been addressed as part of Dr. Granther's analysis. Firestone has not determined that a tread separation, in and of itself, has any significant effect on the weight distribution of the vehicle. The loss of the tread and outer belt alone has not been determined to have an appreciable change in the overall weight distribution of the vehicle.

7. Rep. Upton

Rep. Upton requested a copy of the report of Dr. Sanjay Govindjee, done as part of the root cause analysis. A copy of that report has been previously provided to the Committee.

I hope this information is helpful to the Committee.

Sincerely,

Daniel J. Adornitis

dja/me
Mr. John Lampe  
President and Chief Executive Officer  
Bridgestone/Firestone, Inc.  
50 Century Boulevard  
Nashville, Tennessee 37214  

Dear Mr. Lampe:

I am writing regarding the request I made at the recent hearing for information on the impact of Firestone's cost-cutting program(s) on materials and processes the company used to make tires during the period of 1993 through 1997. In addition, I want to know what has been the durability of tires Firestone produced during this period compared with tires produced before and after this period.

In questions I asked you at the June 19, 2001, hearing on "The Ford Motor Company's Recall of Certain Firestone Tires," I referred to an article from the Akron Beacon Journal, dated March 1, 1998, and entitled "Bridgestone/Firestone Inc. Enjoy the Fruit of Long-Range Planning" (see attachment). This article states that "Bridgestone/Firestone Inc. is now enjoying the results of its own five-year plan" and that the Chief Executive Officer of the Firestone subsidiary attributed the company's turnaround to "cost-cutting and increased sales in the five-year period." According to the article, Firestone's earnings "increased more than thirtyfold" during this period.

In your submission for the record of this hearing, please answer the following questions and provide the information requested below:

1. Please describe the financial, competitive, and technological condition of the Firestone subsidiary at the beginning and at the end of the five-year plan referenced in the attached article (1993 through 1997). We would appreciate a general description of the company's debt situation; its sales and earnings; its sales to new vehicle manufacturers versus its replacement tire sales; its relationship with suppliers and labor; its relationship with the parent company Bridgestone, including payments and capital transfers to the parent; and its competitive position within the industry in relation to other tire manufacturers.
2. In the early 1990's, had Goodyear Tire undergone restructuring or other changes to improve its competitiveness that caused Firestone to initiate actions to improve its competitive strength?

3. Please describe the cost-cutting programs and initiatives undertaken by Firestone during the five-year period referenced in the attached article.

4. Was there an annual cost-reduction goal (e.g., five percent) that Firestone's management set for the company in the five-year period referenced in the article, and, if so, what was it for each year?

5. During the five-year period referenced in the article, please describe what changes occurred in the materials, additives, vulcanization process, wedge rubber dimensions, skim stock between the steel belts, etc. in tires Firestone produced for Ford. Which of these changes, if any, that occurred during this period were undertaken as part of a cost-cutting program or initiative? Did Firestone tell Ford about any of these changes?

6. As part of its ongoing quality control and oversight functions, does Firestone conduct periodic surveys of claims, adjustments, or other field data to identify unusual durability or wear-related problems with tires it produces?

7. During the period 1996 through 1999, did Firestone detect any elevated levels of tread separations on the tires it produced (1993 through 1997) for use as original equipment on the Ford Explorer or other Ford vehicles?

Thank you for your cooperation. Please submit the information and responses requested no later than close of business on Wednesday, July 18, 2001, so that it can be included in the hearing record.

Should you have any questions about these matters, please contact me, or have your staff contact Mr. Bruce Gwinn, Committee on Energy and Commerce Democratic Staff, at 202-225-3400.

Sincerely,

JOHN D. DINGELL
RANKING MEMBER

Attachment

CC: J. Solomon / D. Adonitis
    J. Akey
cc: The Honorable W.J. "Billy" Tauzin, Chairman
      Committee on Energy and Commerce

      The Honorable Cliff Stearns, Chairman
      Subcommittee on Commerce, Trade, and Consumer Protection

      The Honorable James C. Greenwood, Chairman
      Subcommittee on Oversight and Investigations

      The Honorable Edolphus Towns, Ranking Member
      Subcommittee on Commerce, Trade, and Consumer Protection

      The Honorable Peter DeFazio, Ranking Member
      Subcommittee on Oversight and Investigations
While the tire industry digests the magnitude of Goodyear Tire & Rubber Co.'s new five-year plan, Bridgestone/Firestone Inc. is now enjoying the results of its own five-year plan.

In that time, production doubled. Earnings increased more than thirtyfold. And sales are up 59 percent.

On Friday, the Nashville-based subsidiary of Bridgestone Corp., the world's largest tire maker, reported record annual sales of $7.1 billion and record earnings of $207 million for 1997.

"We're quite satisfied with the results," said Masazumi Ono, Bridgestone/Firestone's chairman and chief executive officer. "And we hope to continue to improve at the current level."

It was 1992 when Bridgestone/Firestone began its turnaround. It opted to move its headquarters from Akron, Ohio, to Nashville, Tenn., to get a new lease on its corporate life. That year, the company turned a $6 million profit, after losing $1 billion over the three previous years, and managed sales of $5.1 billion.

Ono said last year's results show the improvement of cost-cutting and increased sales in the five-year period. During that time, Bridgestone/Firestone was the
target of a brutal strike, the longest in the history of the rubber industry.

Bridgestone/Firestone officials are now eager to put that behind them, and to focus instead on future growth and new products.

The company is in the process of building a $435 million tire plant in Aiken, S.C., which will produce 25,000 tires daily when completed next year.

Ono said the new plant will reduce Bridgestone/Firestone's dependence on imported tires from Japan.

"The sales growth and business growth supported the need for local production," Ono said. "We cannot cope with the current demand now."

Ono said the company plans to take aggressive steps to increase that demand this year.

Bridgestone/Firestone plans to introduce four products this year, including a new version of its high-performance ice tire called the Blizzak, which uses the company's patented UNI-T technology, and a new ultra high-performance Potezza tire.

Company officials said the controversial Firestone F770c will continue to be a key product. The F770c was the subject of an advertising campaign that led Goodyear to sue Bridgestone/Firestone over claims about the tire's performance compared to Goodyear's Aquatred.

In the end, Bridgestone/Firestone pulled the ads. But the company reported it sold 1.5 million of the premium wet-handling tires in nine months, making it an extremely successful launch, Ono said.

"Even after we stopped the commercials, the tires just kept on selling," Ono said.

Yesterday, Bridgestone Corp. reported earnings of $323 million on sales of $17.9 billion, due in part to strong sales in North America by Bridgestone/Firestone. The company said its earnings dropped 44.5 percent because of a change in its accounting procedures and the removal of debt associated with its 1998 purchase of Firestone Tire & Rubber Co.

Ono said Bridgestone/Firestone expects to continue expanding in 1998 at the same rate as in 1997.

He said the economic crisis in Asia actually helps Bridgestone/Firestone because it can import tires from Japan at a lower price. Plans to increase exports from Thailand to North America are already under way.

Kenji Shibata, president of Bridgestone/Firestone, said the company is already off to a good start for 1997.

"We have started with a good season," Shibata said. "Things have been very
good, especially with light trucks and with the (automakers).

Bridgestone/Firestone is looking to become a much larger supplier to the North American automakers, adding 14 new models, including the Toyota RAV4 and the Ford Crown Victoria, to the roster of cars that it outfits with its tires.

Goodyear is the largest supplier in North America with about 37 percent of the automakers' business. Bridgestone/Firestone is currently third with about 20 percent.

These designations are becoming increasingly important since recent surveys show that about a third of all car owners replace their tires with tires made by the same manufacturer that supplied them originally.

"Increasing in that business allows us to make tires in big lots, rather than the smaller lots needed for replacement tires," Oto said. "We would enjoy that."

Bridgestone/Firestone is already enjoying its recent successes in racing and the interest that it generates with employers and its dealers.

"At the recent dealer conference, our competitor invited us to go after them," said Trevor Holkin, Bridgestone/Firestone's senior vice president of public affairs. "Our racing success should have demonstrated by now that we would much prefer to lead."

And now the upcoming entry of Dayton Tire into the Indy Lights race circuit gives each of the Bridgestone/Firestone brands a place in the sport.

"With Dayton coming in, everybody is excited now," Oto said.

That excitement has led to higher sales, he said.

In light of Goodyear's ambitious plans to grow from $13 billion in sales to $20 billion within the next five years to dethrone Bridgestone Corp. as the world's largest tire maker, company officials believe it will be a challenge to continue those higher sales.

"It is so difficult to forecast the future -- we will leave that to Goodyear," said Oto, laughing. "As for us, we believe we will continue to grow. How much? Who can say?"

-----

The financial, competitive and technological condition of BFS in the 1990's really begins with an extensive study that BFS initiated in 1990 of the competitive environment within the tire industry. This "benchmarking" effort generally revealed that BFS was not competitive in many respects with other major tire manufacturers.

First, BFS had lost approximately $916 million through 1993. Net income in 1994 was $29 million. Despite an equity infusion by the parent company, Bridgestone Corporation, of $1.5 billion, BFS remained $2.3 billion in debt by 1993. (No capital transfers or extraordinary payments were made to the parent company, other than for the purchase of goods and services). Average selling prices for BFS' products were continuing to trend downward. Productivity improvements required increasing amounts of capital investment. Net sales from 1990-91 actually decreased, with only minor improvement in 1992. Cash flows were negative from 1990 through 1994.

One of the first programs designed to help BFS achieve greater competitiveness was to adjust down the size of BFS. This occurred through selective reductions in salaried enrollment achieved primarily in 1991 and 1992. Further reductions in the size of BFS occurred with the relocation from BFS' extensive headquarters complex in Akron, Ohio to a smaller, more efficient headquarters operation in Nashville in 1992. At the same time, BFS began focusing its diverse operations into 21 "SBU's" (strategic business units), each dedicated to particular markets and operations.

Beginning in 1990, BFS began to improve plant productivity by focusing on its manufacturing process and increasing plant output. "Throughput" and de-bottlenecking techniques were implemented. "Kaizens" (continuous improvement) techniques were also implemented at each plant. Technology transfers and exchanges with Bridgestone Corporation were key focus areas in the period from 1990-92.

In 1992 BFS began to address the competitiveness and productivity of its manufacturing operations under the collective bargaining agreement with the United Rubber Workers at six "Master Contract" plants. BFS began a comprehensive study of worker productivity. By this time, it had become evident that the productivity levels of the BFS plants were dramatically below major competitors. Much of this was attributed to the inflexibility of the 1991 collective bargaining agreement to allow BFS to economically operate the plants on a seven day, "continuous operation" basis. The result was that valuable, capital-intensive plant capacity was going unused at BFS plants. Continuous operations existed in one form or another at a number of competitive facilities, particularly those that were determined to be operating more productively than the BFS Master Plants. While productivity levels at BFS master plants were low in comparison to the industry, wages and benefits were among the highest. This productivity gap presented what BFS perceived as a "compelling need to change."

Negotiations between BFS and the URW commenced in 1994. Despite good faith negotiations, an impasse in negotiations was reached and, in July 1994, a strike was declared by the URW at all six facilities. In the absence of an agreement, BFS implemented terms and conditions and continued production at all facilities with
temporary replacement workers. With the need to begin continuous operations at these plants becoming critical, BFS hired permanent replacement workers in 1995 and began seven-day operations. In 1996, BFS reached agreement on a new collective bargaining agreement with the union (now the United Steelworkers of America "USWA"), preserving the continuous operations schedule and other needed productivity enhancements in the new agreement.

Another broad initiative was the P2000 program, developed for the period 1995-1999 with the general goal of substantially improving BFS' competitive position and reducing BFS' debt burden by the end of the decade. This program had several parts. One part focused on steadily building market share. Another aspect of the program centered on achieving better utilization of BFS' working capital. Yet another part of this later program, known as "C95," focused on improving manufacturing productivity.

The C95 program entailed a broad spectrum of enhancements that continued BFS' focus on improving company productivity. It included efforts to standardize component combinations and tire building systems within the plants, de-bottleneck the flow of operations and materials, improve material usage and processing technology, improve production reliability, reduce non-operating time ("NOT"), increase economies of scale, improve workforce competency, reduce waste and scrap levels and many other productivity improvements in the plants. Sometimes these efforts may have increased cost, but improved productivity. Undoubtedly, the largest group of C95 changes involved the reduction of non-operating time and the successful implementation of seven day, continuous operations in 1995 (and the other productivity changes that would ultimately become part of the 1996 collective bargaining agreement). The BFS goal was to produce a tire that was "equal to or better than" the original product. This program also overlapped with a company mandate to certify all of its tire plants to ISO 9000 quality standards by 1996.

Another major productivity focus during this period was the B2000 program. This program sought to make BFS more productive through the enhancement of business information systems. Initiated in early 1996 and conducted until 1998, B2000 sought to improve productivity in order entry and tracking, supply chain planning, forecasting, manufacturing, warehousing and distribution, customer interfaces and other administrative services.

Supplier relationships during this period remained very stable, with the top 10 suppliers doing business with BFS for over 20 years. Efforts were made with many of these suppliers to improve pricing, enhance discounts or extend payment terms.

In terms of Original Equipment ("OE") sales during this period, BFS' share remained relatively stable at approximately 18% during most of the mid-1990's. Its share at Ford Motor Company ranged from 31-38% during the same period, with most of the variation occurring during the UAW strike period 1994-95. Specific information by year follows. Each column is reported as "All BFS Brands" (but sales to Ford were exclusively Firestone brand):
<table>
<thead>
<tr>
<th>Year</th>
<th>Total OE Share (%)</th>
<th>Ford Share (%)</th>
<th>Rep. Mkt. Share</th>
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<tbody>
<tr>
<td>1993</td>
<td>17.4</td>
<td>38.8</td>
<td>11.9</td>
</tr>
<tr>
<td>1994</td>
<td>18.2</td>
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<tr>
<td>1997</td>
<td>21.6</td>
<td>33.5</td>
<td>16.0</td>
</tr>
</tbody>
</table>

In the introductory paragraph of your letter, you also inquired regarding the “durability” of Firestone tires produced before and after the period from 1993 to 1997. In this regard, I am attaching a chart detailing returns of Firestone passenger tires for separations from 1993-2000 (which would include tires in the “P-metric” Wilderness line). As you will see from the chart, the general level of returns remains stable or trends downward during this period.

2. “Goodyear Restructuring”

Obviously, our access to Goodyear information is generally limited to that which is publicly available. In terms of Goodyear’s restructuring and other efforts in the early 1990’s, it is our belief that many of the same type of changes that were taking place at BFS were also occurring within that company as well. We are aware that Goodyear began restructuring and aggressively pursued the downsizing of its operations. It had dramatically improved its cash flow and earnings. Later in this period it began realigning operations such as Kelly Springfield into an operating division of Goodyear. It also began a process of rationalizing its North American distribution systems and expanding its computerized customer interfaces. In terms of continuous operations, at the time of the 1994 BFS negotiations, Goodyear had already secured the right to operate on this basis at five of its North American plants. (Lawton, OK; Gadsden, AL; Medicine Hat, Alberta; Valleyfield, Quebec; Napenee, Ontario).

3. “Cost-cutting Initiatives and Programs”

Please see response to Question 1 for a discussion of productivity improvement efforts conducted by BFS during the 1990’s.

4. “Annual Company Cost Reduction Goals”

Enhancements to productivity are a continuing goal at BFS, as at most companies. The only record of a true company-wide cost reduction goal we have identified during this period is for 1994, in which a 5% reduction goal was set. In terms of the manufacturing operations, for each year during the stated period a total factory cost per thousand pounds
processed "5/Milb" budgetary goal was set. This figure embraces both material and conversion/processing costs. Individual plants also set various plant-specific targets to help achieve the overall goals. The following table reflects the overall goals for each year and the actual performance in relation to goal (obviously in this case, actual costs in excess of goal are undesirable):

<table>
<thead>
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<th></th>
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<th></th>
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</thead>
<tbody>
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<td>1142</td>
<td>1157</td>
<td>1248</td>
<td>1193</td>
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<tr>
<td>Actual</td>
<td>1195</td>
<td>1217</td>
<td>1293</td>
<td>1202</td>
<td>1141</td>
</tr>
</tbody>
</table>

*This data is highly proprietary information and constitutes trade secrets of BFS.

5. "Product Changes"

Detailed specifications reflecting the materials and construction for the P235/75R15 Radial ATX II and the Wilderness AT from year to year will be made available to you and your staff for review. This is proprietary information and constitutes trade secrets of BFS. Additionally, it is likely to be difficult for your investigators to interpret. May we request the opportunity to bring those specifications in for review by your staff at a convenient time when we can have a representative present who can discuss the specifications, including any that may have had a cost-reduction aspect with your staff. Ideally we will be able to satisfy your need to review these materials without making copies of them.

In terms of the communication to Ford of information regarding changes in the product, there was certainly substantial and detailed discussion of the changes in specification during the approval process for each major generation of the Radial ATX and Wilderness AT tire. Additionally, during the implementation of Q5 9000 quality standards, the two companies discussed and agreed upon specific protocols for the communication of information regarding product changes. Changes made by BFS as part of its continuous improvement programs would not be channeled through a Ford approval process unless the change affected "form, fit or function" or unless it changed Ford's performance parameters or safety.

6. "Quality Assurance"

BFS has an extensive quality assurance program that was in place during this period. Like the tire industry generally, however, emphasis was placed on the use of adjustment information, field surveys, fleet studies and other testing and analysis to assess product performance. The adjustment database as a whole was reviewed annually. Specific tire adjustment data was reviewed on a more frequent basis as warranted.
Claims data was not traditionally used to assess product performance since this type of data was typically a much smaller dataset in comparison to the adjustment dataset, making conclusions very hard to draw. Although claims data was kept, it was primarily focused on promptly resolving customer property damage claims rather than as a tool for specific product analysis. As BFS committed in the hearings on this matter, it has now implemented, and will continue to improve, an early warning system incorporating the use of claims data as an additional component of its quality assurance systems.

7. "Levels of Tread Separation"

During the specified period, BFS primarily relied on adjustment data to assess product performance and conditions such as tread separation and nothing in that data alerted BFS to a problem with the Explorer tires. The adjustment rates for these tires were acceptable in light of the tire types, application and maturity of the tire populations. While adjustment rates can be expected to vary as a tire population matures and applications change, the overall adjustment rates for these tires were acceptable.

As discussed in the preceding paragraph, claims data was not used for specific product assessment. Although there were several instances in which BFS investigated the performance of the tire in specific applications, such as Saudi Arabia, it was BFS' conclusion that the applications and harsh environments in which these tires were placed explained any incidence of tire separations.

I hope this information is helpful and addresses your questions.

Sincerely,

[Signature]

Daniel J. Adornit
[Translation of the article titled "Muertos un comerciante y su ayudante en vuelco de camioneta" from the "La Manana" newspaper (Venezuela)]

**Businessman And Assistant Die When Truck Overturns**

Two young men were killed when the truck they were traveling in turned over in the traffic circle of Redoma de El Tacao. The accident took place on Sunday morning.

One of the victims was José Luis Dos Barros Velasco, aged 32, born in the city of Valencia, Carabobo state, who lived in an apartment of the San José building, Comercio de Caja de Agua street. He was the manager of the company Detroit Parts and a confectionery distribution company.

The other man who died in the accident was Javier Eduardo Sierra Galicio, aged 27, born in Punto Fijo, who resided at Providencia de Caja de Agua street. He had been working as Dos Barros' assistant for four months and before that he had worked as a taxi driver in Líneas Altamira.

They had worked all Saturday around the beaches of the municipalities of Falcon and Los Tacos. The car accident took place after leaving Villa Marina when they were heading home.

It seems that the truck, a metallic green Ford Explorer, license plate LAB-51C Mérida, driven by Dos Barros, missed the turn, went straight to the traffic circle and suddenly overturned, killing both men instantly.

After a few hours, the bodies were taken in a crane to the morgue of the Doctor Rafael Calles Sierra Hospital, due to the fact that the authorities did not have a truck for this kind of case.

According to the autopsy, the first above-mentioned man fractured his skull, suffered hypovolemic shock, had an explosion of the liver and a broken right leg.

The other man had multiple fractures in his skull with encephalic mass loss and facial fracture.
En la Redoma El Taparo

Muertos un comerciante y su ayudante en vuelco de camioneta

Una de las víctimas de este fatale accidente fue José Luis Dos Barros Velasco, de 32 años de edad, natural de la ciudad de Valencia, estado Carabobo, y con residencia en un apartamento del edificio San José, calle Comercio de Caja de Agua. Era gerente de la empresa Despil Para y una distribuidora de confitería.

La otra persona fallecida fue Javier Eduardo Sierra Galicia, 27 años de edad, natural de Punto Fijo, y residía en la calle Provencio de Caja de Agua, tenía cuatro meses trabajando como asistente de Dos Barros y antes estaba laborando como taxista en la Línea Altamira.

Se conoció que ambas habían salido el día anterior para las puestas de los municipios Páez y Los Teques y el accidente vial ocurrió luego de salir de Villa Marina rumbo a sus domicilios.

El vehículo, una camioneta Ford Explorer, color verde metalizado, placas LAB-513 Mérida, conducido por Dos Barros, al parecer, no dio la debida curva, siguió hacia la redoma para volcar a lo largo, con el lamentable resultado de la muerte en forma instantánea de las dos personas.

En La Vega del Tuy en el municipio Unión... Sujeto hirió a dos mujeres

Frente al terminal de pasajeros... Joven es golpeado salvajemente
Engineer, Passenger Die When Truck Overturns Near Caseto

The victims of this horrible accident were identified as Jacinto González (58) and José Angel Arias Primera (34). Both died instantly as a result of an accident that occurred at approximately 1:00 a.m. on Monday morning.

Luis G. Villalobos
C.P.N.: 2857

A retired PDVSA engineer and his passenger died instantly when their vehicle overturned on the Coro-Punto Fijo Highway, near Caseto. The accident was reported to have taken place on early Monday morning.

MEDANO Daily reporters obtained unofficial reports about the accident from trustworthy sources. The vehicle, a green Ford Explorer, license plate IAT-881, was driven by Mr. Jacinto González (58), an engineer from the city of Coro, who lived at 201 13th Street in the Justolina sector. The pathologist at Dr. Rafael Calles Sierra Hospital, which is part of The Venezuelan Social Security Health System (IVSS), reported that the victim had experienced general trauma, cranial fractures, and multiple lacerations.

The second victim was identified as Mr. José Angel Arias Primera (34), a native and resident of El Cero sector. He lived in house number 39 in the Santa Cruz de Los Teques municipality. The victim worked for a transportation business in Puerto La Cruz and was the only other passenger in the vehicle. He was said to have suffered general trauma, closed chest trauma, hemomediastinum, bilateral hemopneumothora, and rupture of the thoracic aorta.

THE FACTS

Families of the victims were involved in morgue proceedings at the Rafael Calles Sierra Hospital, which is part of the Venezuelan Social Security Health System (IVSS). They reported that Mr. Jacinto González and his passenger had left Barcelona, in the state of Anzoátegui, and were headed toward the state of Falcón. Before reaching the Paraguana Peninsula, they drove to Uña, located in the Sierra Falcóniana, where Mr. González owned a hacienda. He made some arrangements there and both decided to drive toward this area. Unfortunately, as they drove on the Coro-Punto Fijo Highway, the car suddenly overturned near Caseto, ejecting the driver and the passenger some 50 meters. The vehicle remained on the Coro-Punto Fijo Highway near Caseto sector.

About eight months ago, Mr. González retired from his job at PDVSA as Assistant Manager of the Flexicoquer Plant. His passenger, Mr. José Angel Arias Primera, who worked at a transportation business in Puerto La Cruz, was headed toward the Paraguana Peninsula to visit family. Mr. Arias Primera is survived by four children. Mr. González leaves behind six. The bodies of both men were rescued by the Commission for Civil Protection of the Falcon State Police. The case has been reported to said entity and to the National Transportation Investigation Authority.
Muere ingeniero y su acompañante en vuelco de camioneta en Caseto

Las víctimas de este lamentable suceso vial fueron identificadas como Jacinto González (38) y José Ángel Arias Primera (34), quienes perecieron en forma instantánea, en hecho que registró aproximadamente a la una de la madrugada de ayer lunes.

La información fue obtenida por los periodistas del Diario MÉDANO, a través de una fuente altamente confiable y de nuestra experiencia, desde las víctimas de este lamentable suceso vial respondieron a los nombres de Jacinto González (38), natural de la ciudad de Coro, ingeniero, residenciado en la calle E 15, casa marcada con el número 201 del sector Villafranca, quien era el conductor de la camioneta Ford Explorer con matrícula de Caracas, que al volcar frente al Hospital Rafael Calle Siria del Instituto Venezolano de Seguros Sociales (IVSS), el mismo presentó certificado antropológico generalizado, fractura de cráneo y escanciones múltiples, respectivamente.

La otra víctima de este lamentable suceso respondió al nombre de José Ángel Arias Primera (34), natural y residenciado en el sector "El Curo", en la ciudad de Maracaibo, quien trabajaba para una empresa de Transantiago, en la vía de acercarse a la vivienda de Jacinto González, como acompañante en la unidad automotriz, a quien se le proporcionan medicamentos, trastornos venéreos, fracturas del cráneo, hemorragias internas e inmediaciones vitales y ruptura de la vía aérea, respectivamente.

Arrollado un ciudadano

Un hombre resultó herido de circunstancias, al ser arrollado por un vehículo, un hombre, que circulaba en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro de esta zona.

Así lo pudo constatar uno de los periodistas del Diario MÉDANO, a través de una fuente altamente confiable y de nuestra experiencia, quien informó que el vehículo en cuestión, un automóvil Chevrolet Caprice, circulaba de la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro, y este fue arrollado por un automóvil Chevrolet Caprice, circulando de la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro.

Con la intervención del no tanto dañado fue trasladado hasta el Hospital Rafael Calle Siria del Instituto Venezolano de Seguros Sociales (IVSS), el mismo presentó certificado antropológico generalizado, fractura de cráneo y escanciones múltiples, respectivamente.

Los hechos

Según reportaron algunos familiares de las víctimas, quienes se encontraban en el camino de operaciones de la empresa de la misma denominación, se encontraba en el sector "El Curo", en la ciudad de Maracaibo, donde el vehículo en cuestión, un automóvil Chevrolet Caprice, circulaba de la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro, y este fue arrollado por un automóvil Chevrolet Caprice, circulando de la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro.

Desde hace observaciones de los familiares en el mencionado caso, se conoce de un nuevo incidente que tuvo lugar en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro, en la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, y este fue arrollado por un automóvil Chevrolet Caprice, circulando de la avenida 2 de Mayo, en la ciudad de La Paragua, Portete Centro, en la avenida 15 de Junio, en la ciudad de La Paragua, Portete Centro.

En lo concerniente a los datos, no estuvieron disponibles hasta el momento.

DIEZ DIAS
DIARIO INDEPENDIENTE DE INTERESES GENERALES

CONSPIRAN Y ALBOROTAN
El Siglo Newspaper, July 13, 2001

State of Carabobo

New Explorer Accident Leaves Three People Badly Injured

Three people were injured in a mid-day traffic accident that took place between the Guacara and Maracaibo tolls in the State of Carabobo. The vehicle, a Ford Explorer truck, license plate G09-210, apparently rolled over in the accident, reported Armando Valera, President of Autoexplorer. Mr. Valera traveled to the scene of the accident and commented that Goodyear tires were mounted on the vehicle.

Accidents in these deadly vehicles continue, and Ford remains unwilling to publicly admit its trucks have a mechanical defect and insists on blaming the accidents on faulty tires. The Federal Government should address these actions, while the National Assembly should step up and deliver the results of its investigation of this matter, which continues to claim more lives.

The victims injured in this new accident were identified as 20-year-old Luis Ramirez, 20-year-old Erika Ramirez, and 21-year-old Blanca Queraites. All three were taken to La Villa de Valencia Medical Center. A fourth unidentified person was injured and treated for minor injuries at an outpatient clinic.
En el estado Carabobo
Nuevo accidente con camioneta Explorer deja gravemente heridas a tres personas

el siglo
Tres personas gravemente heridas es el saldo de un accidente de tránsito ocurrido en horas del mediodía, entre el peaje de Guacara y Maracaibo en el estado Carabobo, luego del volcamiento de una camioneta Ford Explorer, placas GAO-21C.

Así lo informó el presidente de Asoexplorer, Alfredo Valera, quien se apersonó al sitio del accidente, recalando que los cauchos del rústico eran Good Year.

Continuarán los accidentes con las camionetas mexicanas y la Ford no quiere enfrentar la realidad que existe un defecto mecánico y de cauchos como han querido hacer ver a la opinión pública. El Gobierno Nacional debe tomar medidas a este respecto y la Asamblea Nacional debe pronunciarse y entregar el informe sobre la investigación que está realizándose sobre este caso que cada día cobran más víctimas.

Las personas lesionadas de este nuevo accidente fueron identificadas como Luis Ramírez de 26 años, Erika Ramírez de 20 y Blanca Querales de 21 años, quienes fueron trasladados al Centro Policíaco La Villa de Valencia y un cuarto lesionado, que aún no ha sido identificado fue trasladado a un ambulatorio por presentar lesiones menores. (a.a.)
La asociación presentó 146 expedientes con 96 muertes ante la fiscalía.

**YOLANDA OJEDA REYES**

**EL UNIVERSAL**

El presidente de Asaexplorer, Alfredo Velera, denunció que el Setra no maneja las cifras reales de los accidentes ocurridos en Venezuela con las camionetas Explorer.

Dijo que el Servicio Autónomo de Transporte-Setra- ha manifestado que sólo han ocurrido cuatro accidentes con las camionetas Explorer, mientras que nuestra asociación entregó ante la Fiscalía General de la República la semana pasada 146 expedientes y por esos accidentes han muerto 96 personas en todo el país', agregó en un comunicado de prensa.

Aseguró que definitivamente 'los cauchos no son los responsables de los accidentes, sino desperfectos en el diseño de las camionetas'.

Según investigaciones que la Asaexplorer ha realizado, 'la falla mecánica es porque a determinada velocidad, de 100 a 120 kilómetros por hora, la base de la punta de eje se parte'.

'ta Ford debe reconocer su responsabilidad. Solicitamos, y es esa nuestra lucha, la indemnización de los familiares de los muertos y lesionados'.

Recordó que hoy el Comité de Energía y Comercio del Congreso de Estados Unidos citó al presidente de Ford Motor, Jack Nusser, y al de Bridgestone Firestone, John Lampe, con el objeto de que testifiquen sobre el porqué Ford abruptamente decidió reemplazar 13 millones de cauchos.
Refirió que el vocero del W.J. 'Bil' y Tauzin, presidente del referido comité, se ha hecho preguntas sobre la seguridad de los modelos Explorer 1999 al 2001, y ha levantado cuestionamientos a los análisis realizados por Ford, cuando comparam la seguridad de los cauchos Firestone con los de otra marca.

Dijo Alfredo Valera, presidente de Asocexplorer, 'que el Congreso de Estados Unidos ha tomado como ejemplo la situación de los accidentes que se han registrado en Venezuela con las Explorer'.

Ver también:

Entrechones
Translation of June 19, 2001 article printed in El Universal newspaper of Caracas, Venezuela

Automotive// U.S. Congress Questions Ford and Firestone

Victims of Explorer-Related Accidents Refute SETRA Accounts

The organization brought 146 cases, including 96 deaths, before the Public Prosecutor’s Office.

AsoExplorer has protested several times (Photo Paulo Perez Zambrano)

Tuesday June 19, 2001

YOLANDA OJEDA REYES

EL UNIVERSAL

Alfredo Valera, President of AsoExplorer, has accused Setra of failing to keep an accurate count of the numbers of Explorer-related accidents in Venezuela.

He said that the Independent Transportation Service—SETRA—“claims that there have been only four Explorer-related accidents. However, last week, our organization brought before the Public Prosecutor’s Office 146 accident cases in which 96 people reportedly died in those vehicles.”

He asserted that “the tires are not to blame for the accidents, which should be attributed to defects in the truck’s design.”

According to investigations conducted by the organization, the base of one of the truck’s axle ends splits at speeds of 100 – 120 km/hour, causing mechanical failure.

Valera stated, “Ford must admit responsibility. We ask that the families of the victims and the injured receive compensation.”

He commented that today the House Energy and Commerce Committee of the United States Congress summoned the Presidents of Ford Motor Company and Bridgestone/Firestone, Jacques Nasser and John Lampe, respectively, to explain why Ford abruptly decided to replace 13 million tires.

The spokesperson for W.J. “Billy” Tauzin, the chairman of that committee, raised questions about the safety of the 1999-2001 year Explorer models and about analyses conducted by Ford in which the safety of Firestone tires was compared to other brands.

Mr. Valera said, “The U.S. Congress has taken the Explorer accidents in Venezuela as an example.”
# FORD EXPLORER ACCIDENTS ON COMPETITOR TIRES

Updated 7/19/01

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<thead>
<tr>
<th>CASE NAME</th>
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<tr>
<td>Bouzou, Brooks</td>
<td>1/19/93</td>
<td>Arden</td>
<td>NC</td>
<td>1 Injured</td>
<td>Cooper</td>
<td>LT</td>
<td>P235/75R16</td>
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<tr>
<td>Caballero, Juan</td>
<td>5/27/91</td>
<td>St. Petersburg</td>
<td>FL</td>
<td>1 Fatality; 2 Injured</td>
<td>Kelly</td>
<td>LT</td>
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<tr>
<td>Davis, Robert</td>
<td>4/29/91</td>
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<td>HI</td>
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<tr>
<td>Dykes, Cathy (Turnage), Bruce</td>
<td>6/2/91</td>
<td>Lancaster</td>
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<td>LT</td>
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<td>Ford, Andrew (Hogan), Dave</td>
<td>12/1/93</td>
<td>Decatur</td>
<td>GA</td>
<td>1 Fatality</td>
<td>12/30/90</td>
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<td>LT</td>
<td>1991</td>
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<td>Garcia, Martin</td>
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<td>P235/75R16</td>
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<td>P235/75R16</td>
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<td>Guerra, Rafael</td>
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<td>TX</td>
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<td>Hansen, Gordon</td>
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<td>SD</td>
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<td>Cooper</td>
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<tr>
<td>Hill, Ron</td>
<td>3/15/93</td>
<td>King City</td>
<td>CA</td>
<td>1 Fatality</td>
<td>Michelin</td>
<td>LT</td>
<td>P235/75R16</td>
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<td>Hill, Barry</td>
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<td>2 Injuries</td>
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<td>Jensen, Jon</td>
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<td>Keller, Dean</td>
<td>8/17/93</td>
<td>Yavapai City</td>
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<td>3 Injuries; 5 Injured</td>
<td>Cooper or Kelly</td>
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<td>Moore, Bryan</td>
<td>6/24/93</td>
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<td>Cooper</td>
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<td>Read, Rhonda J. Williams</td>
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<td>New Milford</td>
<td>NY</td>
<td>1 Fatality; 7 Injured</td>
<td>General</td>
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<td>P235/75R16</td>
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<td>Scott, Steven</td>
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<td>MS</td>
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<td>P235/75R16</td>
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<td>Vaca-Ramos, Francisco</td>
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<td>Michelin</td>
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<td>P235/75R16</td>
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<td>Van, Ester</td>
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<td>Grand Forks</td>
<td>ND</td>
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<td>Michelin</td>
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<td>VOQ</td>
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<td>8/30/93</td>
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<td>P235/75R16</td>
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<td>Wiedeman, John</td>
<td>5/25/93</td>
<td>Sisters</td>
<td>OR</td>
<td>1 Fatality</td>
<td>Cooper</td>
<td>LT</td>
<td>P235/75R16</td>
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<td>Zhao, Dan Yao-Min</td>
<td>1/19/93</td>
<td>Barstow</td>
<td>CA</td>
<td>1 Fatality; 2 Injured</td>
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<td>LT</td>
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### FORD EXPLORER ACCIDENTS ON COMPETITOR TIRES

Updated 7/19/01

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<th>Unknown</th>
<th>Date</th>
<th>Location</th>
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<td>Unknown</td>
<td>6/5/01</td>
<td>Smyrna, TN</td>
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<td>Unknown</td>
<td>9/7/01</td>
<td>Florida, FL</td>
<td>Unknown</td>
<td>Viper</td>
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<td>Unknown</td>
<td>6/27/01</td>
<td>Darien, MI</td>
<td>Unknown</td>
<td>Mission</td>
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### FORD EXPLORER ACCIDENTS ON COMPETITOR TIRES

**Updated 7/10/01**

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<tr>
<th>VEHICLE</th>
<th>FAILURE MODE</th>
<th>COMMENTS</th>
<th>Acc. Rep.</th>
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<tbody>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Loss of control; vehicle went off a bridge, into a river</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Alligator EFS3 tires on Duraspine tire which failed</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Rollover</td>
<td></td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Head-on collision, driver ejected</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>After year began, tire separated from rim, causing rollover</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Alleged tire failure/rollover</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep (LR)</td>
<td>Rollover</td>
<td></td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Loss of control</td>
<td></td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Unknown if tire related</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover with oncoming vehicle</td>
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</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Loss of control</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Tire and vehicle gone, identified by photographs</td>
<td>Y</td>
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<tr>
<td>Explorer</td>
<td></td>
<td>Alleged tire failure/rollover</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
<td>Y</td>
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<tr>
<td>Explorer</td>
<td></td>
<td></td>
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<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
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<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Loss of control/rollover</td>
<td></td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Loss of control on collision</td>
<td></td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td></td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>No tire failure; driver off road and rolled over 4x</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>Rollout (2)</td>
<td>EFS voluntarily settled 9/22/01</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Rollout (2)</td>
<td>Information call made to Firestone store after the Unisport tires were installed to replace recalled Wilderness tires</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>IOIDF tire recall, tire failure</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Sudden tire recall, tire failure</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Loss of control/rollover</td>
<td>Y</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Claim tire failure on day fire was put on to replace recalled Wilderness tires</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Alleged tire failure</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td></td>
<td>Apparent tire failure 10/4/02</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>No Failure</td>
<td>Exploded skid on roadway, hit another vehicle and rolled over, 3 tires</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Rollover, one P235/70R16 (right front)</td>
<td>N</td>
</tr>
<tr>
<td>Explorer</td>
<td>Tread Sep</td>
<td>Exploded tire and rollover, causing vehicle to kill driver</td>
<td>Y</td>
</tr>
</tbody>
</table>
## FORD EXPLORER ACCIDENTS ON COMPETITOR TIRES

Updated 7/19/01

<table>
<thead>
<tr>
<th>Explorer</th>
<th>No Failure</th>
<th>Roll Over</th>
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<tr>
<td>Explorer</td>
<td>Loss of control</td>
<td>Roll Over</td>
</tr>
<tr>
<td>Explorer</td>
<td>Trail Stop</td>
<td>Roll Over</td>
</tr>
<tr>
<td>Explorer</td>
<td>Roll Over - Involved rear tire</td>
<td>Unknown if there was tire failure</td>
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</table>
MEMORANDUM

June 19, 2001

As part of its presentation to both the Commerce, Trade and Consumer Protection and Oversight and Investigations Subcommittees of the House Committee on Energy and Commerce, Bridgestone/Firestone, Inc. would like to submit the enclosed evidence relating to accidents involving the Ford Explorer in Venezuela. This evidence supports our position that the Ford Explorer is not a stable vehicle, regardless of which tires are mounted on the vehicle.

Here is a brief explanation of each category of evidence we are submitting:

1. A VHS videocassette tape (approximately 8 minute running time). The cassette shows how Ford responded to certain Explorer Rollover Accidents: in approximately April 2000, Ford of Venezuela sent letters to some Ford Explorer owners in Venezuela. The letters invited them to come to Ford dealerships for a suspension upgrade—at a cost to each owner of approximately $400-500 for the full upgrade. The tape shows before and after images of the underside of a Ford Explorer sent to a Ford dealership for the upgrade. The upgrade package included the addition of new front and rear shock absorbers, a heavy reinforcing steel bar and the substitution of Goodyear Wrangler tires. The audio portion is in Spanish; a translation is forthcoming.

2. 43 Venezuelan Judicial Inspections. The judicial inspections are records of evidence notarized and validated by a judge. Under Venezuelan legal rules, physical evidence, such as damaged vehicles can be admitted in court only if a Venezuelan judge, accompanied by an expert such as a mechanic as well as a photographer, has personally viewed the damaged vehicle to confirm its condition. At the request of Bridgestone/Firestone Venezolana, Venezuelan judges visited the wreckage of 43 Ford Explorers that have been involved in rollover accidents since May 1, 2000, in order to verify the condition of the vehicle and the brand and condition of the tires fitted on those vehicles. The inspections show that Ford Explorers are continuing to rollover in Venezuela (at an alarming rate), regardless of the changeover from Firestone to Goodyear tires. In order to facilitate review of this voluminous evidence, enclosed is a chart and a spreadsheet listing the key aspects of each judicial inspection.
3. A letter dated September 20, 2000, from Bridgestone/Firestone, Inc. senior counsel John Harrington to Ford attorney Richard Goetz (then present at Ford of Venezuela) requesting rollover crash and claims statistics for the Ford Explorer as well as information on the suspension changes to the vehicle. Bridgestone/Firestone never received a response to this request.

We urge you to review this material carefully. We believe that this material constitutes incontestable evidence of Ford Explorer's instability, regardless of the tires fitted on it, and that Venezuelans are continuing to suffer the consequences for that instability. Thank you for your time.
September 20, 2000

BRIDGESTONE/FIRESTONE, INC.
LAW DEPARTMENT

J. John Harrington
Senior Counsel - Corporate & International
50 Century Boulevard
Nashville, TN 37224
Phone: 615-872-1486
Fax: 615-872-1490

Via Federal Express and Facsimile (313) 332-4986 and (58) 41 407736

Richard Goetz, Esq.
Assistant General Counsel/International
Ford Motor Company
Dearborn, Michigan
48121-1899

Dear Richard:

I am glad that we were able to speak yesterday afternoon with regard to the information requests relating to Venezuela set out in Mr. Mazzorin's letter of September 14, 2000 to Mr. Kaizaki. As I briefly outlined to you during our telephone conversation, Bridgestone/Firestone Venezolana, C.A. ("BFVZ") is ready, willing and able to make a full and rapid disclosure of all claims and adjustment data for tires it has produced and which were utilized on your Ford Explorer sport utility vehicle in Venezuela, in exchange for full claims and adjustment data regarding Explorers produced in Venezuela and at a minimum the following additional information from 1991 to date regarding such Explorers:

- All documents relating to changes made to the Ford Explorer suspension (including but not limited to shock absorbers, anti-sway bars and reinforcing plates); and

- Any Ford Explorer claim data showing any problems (accidents, rollovers, tread separations) with other manufacturers' tires.

I wish to emphasize the principle of reciprocity in this proposed exchange. As you know, Bridgestone/Firestone, Inc. ("BFS") has transmitted large amounts of adjustment data to Ford in the United States. Furthermore, BFVZ has transmitted additional information to Ford of Venezuela. To the best of my knowledge, neither Ford Motor Company nor Ford of Venezuela have ever made reciprocal disclosures of data or documents to BFS or to BFVZ. Given this fact, and the evidence we see that the Ford Explorer vehicle is at least partly responsible for many of the rollover accidents which continue to occur in Venezuela (including accidents involving tires produced by other manufacturers), I believe that we are entitled to a full, reciprocal disclosure of Ford Explorer adjustment and claims data as well as the other information listed above.
With regard to plant visits, I believe that such visits should be conducted by a neutral third party and that under the policy of reciprocity such party should make an inspection of equal duration at each of BFVZ's and Ford of Venezuela's plants.

I reiterate that BFVZ is ready, willing and able to make a full and rapid disclosure of all claims and adjustment data for tires it has produced and which were utilized on the Ford Explorer, in exchange for full claim and adjustment data on Explorers produced in Venezuela as well as the additional information listed above. In the interest of consumer safety, I believe that such exchange should occur as soon as possible.

If Ford is willing to discuss this offer, please contact me as soon as possible at the above number. Thank you.

Sincerely yours,

John Harrington
facsimile transmittal

To: Richard Goetz, esq.  Fax: (58) 41 407736

From: John Harrington  Date: 9/20/00

Re: Adjustment Data Exchange  Pages: 3 (including coversheet)

CC:

XUrgent  □ For Review  □ Please Comment  □ Please Reply  □ Please Recycle

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To: Richard Goetz, esq.  Fax: (58) 41 407736
From: John Harrington  Date: 9/20/00
Re: Adjustment Data Exchange  Pages: 3 (including coversheet)
CC:

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Comment:
<table>
<thead>
<tr>
<th>Nr.</th>
<th>Judicial Inspect#</th>
<th>Vehicle</th>
<th>License Plate</th>
<th>Date of Inspect</th>
<th>Type of Accident</th>
<th>Trees Mounted</th>
<th>Notes</th>
</tr>
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<tr>
<td>1</td>
<td>3307</td>
<td>Ford Explorer XLT 4x4</td>
<td>GAT-36F</td>
<td>6/12/00</td>
<td>Rollover</td>
<td>Continental Cordial MLS LT235/75 R15 (4x4)</td>
<td>Passenger-front deflated but tread intact on all.</td>
</tr>
<tr>
<td>2</td>
<td>54/2000</td>
<td>Ford Explorer XLT 4x2</td>
<td>QAD-411H</td>
<td>8/7/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS MT-S P255/70 R16 (4x4)</td>
<td>Driver-front tire deflated, but tread intact on all.</td>
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<tr>
<td>3</td>
<td>1493</td>
<td>Ford Explorer</td>
<td>DAZ-86F</td>
<td>8/9/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>All four tires inflated and tread intact, but GY spare flat (tread intact).</td>
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<tr>
<td>4</td>
<td>3370</td>
<td>Ford Explorer 4x2</td>
<td>QAU-77E</td>
<td>8/17/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>Driver-side front deflated, but tread intact on all.</td>
</tr>
<tr>
<td>5</td>
<td>2347-2000</td>
<td>Ford Explorer XLT 4x4</td>
<td>GAT-37G</td>
<td>6/24/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P255/70 R16 (4x4)</td>
<td>Front tires flat, all tires with tread intact.</td>
</tr>
<tr>
<td>6</td>
<td>1491</td>
<td>Ford Explorer XLT</td>
<td>VAI-77P</td>
<td>8/31/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P255/70 R16 (4x4)</td>
<td>Driver rear punctured and deflated, but tread intact on all.</td>
</tr>
<tr>
<td>7</td>
<td>3377</td>
<td>Ford Explorer XLT 4x2</td>
<td>GBH-66A</td>
<td>9/5/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>All four tires inflated and tread intact.</td>
</tr>
<tr>
<td>8</td>
<td>1493</td>
<td>Ford Explorer XLT 4x2</td>
<td>AAR-32A</td>
<td>9/7/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>All four tires inflated and tread intact.</td>
</tr>
<tr>
<td>9</td>
<td>3362</td>
<td>Ford Explorer 4x2</td>
<td>GAD-41C</td>
<td>9/25/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>All four tires inflated and tread intact.</td>
</tr>
<tr>
<td>10</td>
<td>3364</td>
<td>Ford Explorer 4x4</td>
<td>GAS-11H</td>
<td>9/27/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>All four tires inflated and tread intact.</td>
</tr>
<tr>
<td>11</td>
<td>3362</td>
<td>Ford Explorer XLT 4x2</td>
<td>KAD-55P</td>
<td>10/15/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>Three tires deflated, all tires are intact.</td>
</tr>
<tr>
<td>12</td>
<td>3438</td>
<td>Ford Explorer 4x2</td>
<td>EAO-32E</td>
<td>11/15/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/75 R15 (4x4)</td>
<td>Passenger front tire deflated, but all tread intact.</td>
</tr>
<tr>
<td>13</td>
<td>2492-2000</td>
<td>Ford Explorer XLT</td>
<td>GRC-60X</td>
<td>11/27/00</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTE P255/70 R16 (4x4)</td>
<td>All four tires inflated and tread intact.</td>
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<tr>
<td>Nbr</td>
<td>Judicial Impact</td>
<td>Vehicle</td>
<td>License Plate</td>
<td>Date of Inspect</td>
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<td>Tires Mounted</td>
<td>Notes</td>
</tr>
<tr>
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<tr>
<td>25</td>
<td>1500</td>
<td>Ford Explorer XLT 4x4 1996</td>
<td>GAT-761</td>
<td>3/22/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/70 R15 (all)</td>
<td>All four tires inflated (one depressed into sand) and treads intact</td>
</tr>
<tr>
<td>27</td>
<td>2463-01</td>
<td>Ford Explorer XLT 4x4 1996</td>
<td>DAM-43U</td>
<td>3/24/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P235/70 R16 (all)</td>
<td>All four tires inflated and treads intact</td>
</tr>
<tr>
<td>28</td>
<td>2464-01</td>
<td>Ford Explorer XLT 4x4 1996</td>
<td>DAK-63O</td>
<td>3/20/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P235/70 R16 (all)</td>
<td>Driver rear tire badly damaged, driver front deflated but tread intact. Passenger tires inflated and treads intact</td>
</tr>
<tr>
<td>29</td>
<td>2468-01</td>
<td>Ford Explorer XLT 4x4 1996</td>
<td>DAF-21N</td>
<td>3/26/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P235/70 R16 (all)</td>
<td>All four tires inflated and treads intact</td>
</tr>
<tr>
<td>30</td>
<td>2471-01</td>
<td>Ford Explorer</td>
<td>KAH-64L</td>
<td>3/30/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/70 R15 (all)</td>
<td>Driver front tire flat and unmounted, passenger front flat, both treads intact. Both rear tires inflated, treads intact.</td>
</tr>
<tr>
<td>31</td>
<td>569-01</td>
<td>Ford Explorer 4x2 1997</td>
<td>GAN-12Z</td>
<td>4/03/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/70 R15 (all)</td>
<td>Two tires deflated, but tread appears intact on all</td>
</tr>
<tr>
<td>32</td>
<td>569-01</td>
<td>Ford Explorer 4x2 1997</td>
<td>SAJ-628</td>
<td>4/23/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/70 R15 (all)</td>
<td>Driver front tire only is deflated, treads intact on all</td>
</tr>
<tr>
<td>33</td>
<td>3762</td>
<td>Ford Explorer 4x2 2005</td>
<td>DBA-18Z</td>
<td>4/24/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS LT235/70 R15 (all)</td>
<td>All four tires inflated and treads intact.</td>
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<tr>
<td>35</td>
<td>2421</td>
<td>Ford Explorer XLT 1996</td>
<td>DMA-18H</td>
<td>5/27/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS P235/70 R16 (all)</td>
<td>All four tires inflated and treads appear intact</td>
</tr>
<tr>
<td>36</td>
<td>10100</td>
<td>Ford Explorer XLT 1996</td>
<td>ABL-26V</td>
<td>5/28/01</td>
<td>Rollover</td>
<td>Goodyear Wrangler RTS (all)</td>
<td>Driver front tire deflated, but treads appear intact on all</td>
</tr>
<tr>
<td></td>
<td>Date</td>
<td>Make/Model</td>
<td>Serial</td>
<td>Location</td>
<td>Type</td>
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<tr>
<td>37</td>
<td>2/6/91</td>
<td>Ford Explorer XLT 4x4</td>
<td>LAF-881</td>
<td>500B1</td>
<td>Roll-over</td>
<td>Goodyear Wrangler RTS 255/70 R16 (44)</td>
<td>Passenger front tire &amp; rim demolished; driver side body damaged. Other two tires inflated; tires intact.</td>
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<tr>
<td>42</td>
<td>2/6/91</td>
<td>Ford Explorer XLT 4x2</td>
<td>LAA-511</td>
<td>6/13/B1</td>
<td>Roll-over</td>
<td>Dunlop RV LT 245/75 R16 (44)</td>
<td>Tires appear intact. Driver front tire is flat.</td>
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<tr>
<td>43</td>
<td>2/6/91</td>
<td>Ford Explorer 4x2</td>
<td>None</td>
<td>6/13/B1</td>
<td>Roll-over</td>
<td>Goodyear Wrangler RTS P255/70 R16 (41)</td>
<td>Passenger rear is flat. Tires appear intact.</td>
</tr>
</tbody>
</table>
FORD EXPLORER

At 4:30 p.m. on Friday, October 27, an engineer was driving a 2000 FORD EXPLORER 4 x 4, fitted with Goodyear tires, chassis serial number 1FMU72EYUB, owned by the Ministry of the Environment, along the Caracas – La Guaira Highway when, inexplicably, after a slight maneuver, the truck started to lurch and stag at and ended up rolling over; miraculously, the engineer was not killed.

(Photograph of tires)

To Mr. Casimiro: (President of Ford)

- Do not go on lying and saying it is the tires. (Photograph of SUV)
- Your Explorer leads to death.
- Acknowledge your mistakes.
- Please avoid any further tragedies.
- It is not the tires.

(Anyone who wants to see for himself should go to the MINISTRY OF THE ENVIRONMENT's parking lot on Avenida San Martin, - diagonally across from the Maternity Hospital.)

FORD EXPLORER VICTIMS
CERTIFICATE OF TRANSLATION ACCURACY

STATE OF FLORIDA )
    ) SS:
COUNTY OF DADE )

I, MAURY MARGARET SCHARRER, duly certified by the University of Miami, Coral Gables, Florida, for proficiency in the Spanish language, hereby certify that the attached translation, from Spanish to English of an undated article from an unnamed publication headed "Ford Explorer", concerning an unnamed engineer who was involved in an automobile accident involving a Ford Explorer on October 27, of an unnamed year, is true and correct to the best of my knowledge, and belief.

MAURY MARGARET SCHARRER

The foregoing instrument was acknowledged before me this 5th day of February, 2001, by Maury Margaret Scharrer who is personally known to me and who did not take an oath.

NOTARY PUBLIC

[SEAL]
Ford Explorer

El Viernes 27 de Octubre a las 4:30 pm. un ingeniero conducía una camioneta FORD EXPLORER año 2,000, 4 x 4 serial de carrocería 1FM2U72E2YUB, propiedad del ministerio del Ambiente, por la autopista Caracas - La Guaira, equipada con cauchos Goodyear, inexplicablemente ante una pequeña maniobra comenzó la camioneta a cabecear y zigzaguear, terminando volcada, salvando dicho ingeniero milagrosamente la vida.

Señor Cassingena: ( Presidente de Ford )

- No siga mintiendo que son los cauchos.
- Su Explorer conduce a la muerte.
- Reconozca sus errores.
- Evite por favor más desgracias.
- Ya no son los cauchos.

(A quien quiera comprobarlo acuda al estacionamiento del MINISTERIO DEL AMBIENTE en la Av San Martín-diagonal con la Maternidad).

 víctimas de la Ford Explorer.
EL CARABOBEÑO
THE NEWSPAPER OF CENTRAL VENEZUELA

PART D

Valencia, Venezuela, Saturday, January 22, 2000

On the Central Regional Highway
DIPLOMAT KILLED IN ACCIDENT

Young Seok Hwang, the political charge d'affaires at the Embassy of the Republic of Korea, a fatal victim.

By María Alejandra Riego

Valencia, January 21 (REDACTA ).- Young Seok Hwang, the Republic of Korea’s political charge d’affaires in Venezuela, died in a traffic accident that took place near the La Cabrera Tunnel on the Central Regional Highway.

The accident occurred at about 9 at night last Friday, about 500 meters from the National Guard Highway Post in the Valencia bound lane.

Seok Hwang was driving a blue Ford Explorer model truck, tag number AAG-930, and it is presumed that he lost control of the vehicle, which crashed into the fenders on the bridge at the exit to the La Cabrera Tunnel.

The diplomat was apparently alleged to have been visiting the Guataparo Country Club, since several golf clubs were found in the vehicle, and at the time of the accident, he was carrying two passengers, who suffered generalized trauma and amputated limbs. One of them was taken to Maracay while the other one was admitted to the Francisco Tovar City Hospital.

A Carabobo Civil Defense rescue unit, representatives of the National Guard, firemen from the municipality of Guacara and Chacao Highway petrolines appeared at the scene of the accident.
STATE OF FLORIDA )
               ) SS:
COUNTY OF DADE   )

I, MAURY MARGARET SCHARRER, duly certified by the University of
Miami, Coral Gables, Florida, for proficiency in the Spanish language, hereby
certify that the attached translation, from Spanish to English of the January 22,
2000 article from EL CARABOBENO newspaper of Venezuela, entitled "On the
Central Regional Highway[,] Diplomat Killed in Accident", concerning Young Seok
Hwang, is true and correct to the best of my knowledge, and belief.

[Signature]
MAURY MARGARET SCHARRER

The foregoing instrument was acknowledged before me this 5th day of
February, 2001, by Maury Margaret Scharrer who is personally known to me and
who did not take an oath.

[Signature]
NOTARY PUBLIC

[Seal]
En la Autopista Regional del Centro

Pereció Diplomático en Accidente
Young Seek Hwang, encargado de asuntos políticos de la embajada de la República de Corea, la víctima fatal.

Por Henrique Casado

Valencia, 22 de Enero de 2000

El accidente se produjo a eso de las 9 de la noche de esta tarde, a unos 600 metros del Puente Vinculado de la Universidad de la Granada, en El Real, Valencia.

Young Seek Hwang, encargado de asuntos políticos, murió en el instante del impacto con un auto de una empresa del transporte público.

El diplomático se dirigía a su residencia en el Monte Vico, donde reside.

El auto que chocó a Young Seek Hwang, un auto de la empresa del transporte público, fue encontrado en el puente Vinculado de la Universidad de la Granada.

Young Seek Hwang, encargado de asuntos políticos de la embajada de Corea, falleció en el instante del accidente.

La embajada de Corea en Venezuela ha expresado su profundo pesar por el fallecimiento de Young Seek Hwang.

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REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESUS VELASQUEZ ARCAY

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT IN AND FOR VALENCIA

DATE OF ENTRY: Day: 12 Month: JUNE Year: 2000

DATE RETURNED: Day: Month: Year: 

No. 3307
Citizen:

FOURTH JUDGE IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAQUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABobo

In his office,

I, FRANCISCO JESÚS VELASQUEZ ARCAY, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of national identity card No. 7,121,658, a practicing attorney, registered with the Venezuelan Bar Association under No. 54,892, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition OF BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session, of a vehicle described as follows: make: Ford, model: Explorer, and the type, color and plates evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims.
THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

FOUR: As to the general condition of the tires mounted on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be placed on the record as to the general condition of the vehicle’s bodywork.

As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 ejusdem, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, in Valencia, on the date of submission for filing hereof.

(Signed – illegible)
(Stamp)
Republic of Venezuela
(Seal)

(Initials – Illegible)
Office of the Third Notary Public in and for Valencia

(Back of Page Two):

(Four stamps in right margin)
REPUBLIC OF ........
(Illegible)
I, ROSENDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this City, in full possession of my civil rights and holder of identity card No. 6,297,263, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the City of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMAR, JOSE HENRIQUE D’APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJIA, CLEMONTINA DE CASTRO, MARGIT HUEN, CARLOS LUIS PIMIENTEL, HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAV, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,667,563; 3,661,025; 7,308,173; 6,845,624; 6,822,699; 10,335,670; 9,879,275; 7,139,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("INPREABOGADO") under Numbers 13,946; 11,568; 19,692; 26,304; 32,501; 54,502; 48,338; 55,660 and 54,692, also respectively; the first eight of said attorneys being domiciled in the City of Caracas, Federal District, and the last one being domiciled in the City of Valencia, State of Carabobo, to act jointly or individually and to represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative body or bodies in any capacity, order or jurisdiction, including, but

(Hand written): No. 28 – T.11
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Controversial-Administrative Matters, Higher Courts for Controversial-Administrative Matters, Higher Courts for Controversial-Tax Matters, Courts for Controversial-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private character. The grantees named above, when exercising this power of attorney, are authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, to allege, object to and/or answer prior defenses and questions, to call for third party for remedies and/or guarantees, to agree to, dismiss, settle and waive actions or rights and refrain from exercising them if appropriate; to request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; to appeal, to direct themselves to the court; to produce any type of evidence and object to the admission of same and participate in all of the procedures and motions to carry out same, request and arrange for any preventive or executory measure if necessary or appropriate, or oppose same and to participate in any other motion presented; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accountings, move for petitionary proceedings or for the recognition and enforcement of an easement or eviction action of any kind whatsoever; to be summoned or subpoenaed, to receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, to dispose of rights during litigation, to request and participate in auctions, by bidding and purchasing at auctions for such purposes; to issue any bonds and guarantees required by any Court or Tribunal; object to any kind
of bonds or guarantees, to settle in arbitration, with arbitrators and/or at arbitration proceedings at law, to request rulings in equity, to appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from Amparo\(^1\) proceedings, to propound and answer interrogatories under oath, to file claims and small claims and refrain from filing them, and in general, to do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not exhaustive and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with any or all of the powers mentioned above, with or without restrictions on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of Article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23\(^{th}\)) day of October, 1956, of the entry in Companies Register No. 1, containing the original statutory incorporation papers of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....

\(^{1}\) Appeal for relief under the Constitution.
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the Minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)
REPUBLIC OF VENEZUELA

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAY, who is registered with the Venezuelan Bar Association under number 54892, was submitted for authentication and return, as per Form No. 243271, dated: January 30, 1996. The grantor thereof was present and stated that his name was: ROSENO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,297,265. He read the document in the presence of the notary and stated: "The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine." The Notary therefore declared it to be authenticated in the presence of witnesses: MARIEDA JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s Office under No. 28, Volume II. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Companies Register, which was originally inscribed in the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this City at 10:15 a.m. for the execution of this document.

THE NOTARY

(Signature illegible)

(Seal)

(Dato Rueda de Holtmann)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

GRANTOR

(Signature illegible)

THE WITNESSES

(Three canceled stamps across bottom of page)

Republic of Venezuela

(Seal)

Third Notary Public in and for Valencia
(Hand written) The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón I. Alvaro Santi, and the exercise thereof is restricted to the following individuals: citizen Diego Basilio Boller, Henry Torresba, Mario Calunso, José Henrique D'Apollio and Gabriela Núñez Márquez, pursuant to a document signed in the presence of the 8th Notary, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, date: December 11, 1966.

THE NOTARY,
(Stamp – illegible)
(Signed) (Illegible)
(Stamp)

ROSA RUEDA DE HOITMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Three cancelled stamps down middle of page)
Republic of Venezuela
(Seal)
Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABobo, CERTIFIES: That I have compared the photocopy consisting of three (03) sheets of stable paper and that it is a true and correct copy of the Document inserted at this Notary's Office during the year 1995, under No. 28, Volume 11, that said copy was made by citizen: SUEIDA NOGUERA, ... of age, Holder of Identity Card No. V-5,622,001, a [legally] competent person who is authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of this same date, which are inserted below: Citizen: Third Notary Public in and for Valencia. In her office, I, AN OFFICER OF BAKER & McKENZIE ..., of age, holder of identity card No. 1111111, am requesting a Certified Photocopy of Document No. 28, Volume 11, from the Books of Authentications maintained by this Notary's Office dated January 30, 1996. In Valencia, on the TWENTY-FIFTH (25th) ... day of the month of MAY - ... TWO THOUSAND. The Applicant (signed) Illegible. 

Republic of Venezuela. Office of the Third Notary Public in and for Valencia. Valencia, May 25, 2000, for this purpose, in compliance with the provisions of Article 120 of the Public Records Law. Citizen: SUEIDA NOGUERA ..., of age, Holder of Identity Card No. V-5,622,0001 ... is appointed to perform the photocopying and sign each of the pages together with the Notary (signed) ROSE RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABobo. Valencia. On the TWENTY-FIFTH (25th) ... day of the month of MAY ... TWO THOUSAND. 185th year of Independence, and 140th year of the Federation. 

THE NOTARY 

(Signed) (Illegible) 

(Signed) (Illegible) NOGUERA
(Back of Page Six):

(Two stamps with illegible initials)
Republic of Venezuela
(Seal)
Third Notary Public in and for Valencia

(Four partial stamps down right margin)
Republic of...
(Seal)
Third Notary Public......

THE UNDERSIGNED NOTARY certifies that
she reviewed and returned Form 16, No. 1404772,
paid at Corporate Banking on May 26, 2009
issued by the MINISTRY OF FINANCE
THE NOTARY
(Signed) (Illegible)
(Stump)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Four stamps down page, three cancelled)
REPUBLIC OF VENEZUELA
(Seal)
OFFICE OF THE THIRD NOTARY PUBLIC IN AND FOR VALENCIA

......
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

190th year of Independence and 141st year of the Federation

This petition has been received. It is ordered that distribution be waived because the urgency of the matter has been stated under oath. It is ordered that all of the time needed be set aside. It is ordered that it be admitted, and that the Court be transferred and called into session at the location indicated in this petition so that the required JUDICIAL INSPECTION may be conducted.

REPUBLIC OF VENEZUELA
FOURTH MUNICIPAL COURT (illegible)
(Seal) (illegible)
TEMPORARY JUDGE:
(Signed – illegible)
DR. RAFAEL E. CASTILLO H.

CHIEF CLERK:
(Signature – illegible)
ATTORNEY JOSE LUIS SANZ P.

Admitted on this same date under No. 3307.-

CHIEF CLERK:
(Signed) (illegible)
(Stamp) (illegible)

(Hand written) 54.-

(Back of Page Eight):
At 11:30 a.m. during office hours today, the twelfth day of June, in the year two thousand, the Court was transferred to and called into session at Tecno Motriz del Norte auto repair shop located on Rojas Quipa Street, between Andrés Eloy Blanco Avenue and Montes de Oca, behind City Park, in this city of Valencia, in order to conduct the Judicial Inspection requested by attorney, Francisco Jesús Velasquez Arévalo, Venezuelan Bar Association Number 54,892, legal counsel for Bridgestone Firestone Venezuela, C.A., formerly known as C.A. Firestone Venezuela; who was present at the Inspection. Citizen, Anthony Weir Barry, holder of identity card No. E-81,701,939 was served with a subpoena concerning the Court's mission, and he stated that he was the owner of the repair shop at which the Court was in session. For better advice on and illustration of this Judicial Inspection, the Court agreed to appoint as expert and photographer citizens, Anthony Weir Barry and Jelahet Houtsman Rueda, holders of identity cards Nos. E-81,701,939 and V-13,236,378 respectively; being present, they accepted the assignment...
were sworn in as provided by Law and stated under oath that they would faithfully fulfill their obligations. The Court stated for the record that the photographs were taken with a camera: Make: Polaroid automatic 636 Close Up, using a 10 exposure roll of Polaroid 779 plus instant color film. When the photographs have been taken, they will be added to this petition so as to form part of this Judicial Inspection. The Court then went on to conduct the requested Judicial Inspection and stated for the record as follows: Item ONE: The Court stated for the record that there was a vehicle, Make: Ford, Explorer, color: lead gray, type: 4x4 XLT, plates: GAT-367- at the location at which it was called into session.” Item TWO: The Court, upon the advice of the expert, stated for the record that the above-described vehicle is fitted with four (4) tires, one on each rim”. Item THREE: The Court, upon the advice of the expert, stated for the record that the tire located on the rear right of the vehicle bears the following identification: Continental Contirac M+S LT235/75R15; 22198; the rear left tire: Continental Contirac M+S LT235/75R15; 22198; the front left tire: Continental Contirac M+S, LT235/75R15; 15903-21 707; .........
And the front right tire: Continental Contitrac M+S LT35/75R15 and no further specification could be determined as it was not visible because the tire was flat”. Item FOUR: The Court, upon advice from the expert mechanic, stated for the record that the tires were in good condition and their tread was in good condition.”. Item FIVE: The Court ordered photographs to be taken of each of the tires fitted.” Item SIX: The Court with the assistance of the expert photographer, [text missing] and photographs were taken of the bodywork”. Item SEVEN: The Court, upon advice from the expert mechanic, stated for the record that the entire right side was dented; the roof had caved in, the rear right and the front right doors were dented, as was the rear hatch door.”. Item EIGHT: At this point, the petitioner identified above intervened and stated: “I would ask the Court to state the mileage of the vehicle for the record and that the subpoenaed party be asked why the vehicle was brought in. The Court agreed to the request and stated for the record ...........
that the mileage on the vehicle was 102,568 kilometers; Also, the subpoenaed party stated that the reason why the vehicle was brought into this shop was a traffic accident and rollover; according to the explanation given to him by the son of the owner of the vehicle. That is all.

Completed, read and signed. All amendments “OK”.

THE PROVISIONAL JUDGE
(Signed) (Illegible)

DR. RAFAEL E. CASTILLO H.
(Stamp)

.... OF VENEZUELA
(Signed) (Illegible)
(Seal) (Illegible)

Petitioner,
(Signed) (Illegible)

The subpoenaed Party and Expert,
(Signed) (Illegible)
(June 12, 2000)

The Photographer,
(signed) (Illegible)

ACTING CLERK,
(Signed) (Illegible)
(Stamp – illegible)
RETURNED TO THE PETITIONER, CONSISTING OF FIFTEEN (15) SHEETS OF PAPER, SO CERTIFIED, TODAY, THE THIRTEENTH DAY OF JUNE IN THE YEAR TWO THOUSAND.

CHIEF CLERK:
(Signed) (Illegible)

ATTORNEY JOSE LUIS SANZ P.
(Stamp)

REPUBLIC OF VENEZUELA
(Illigible)

(Back of Page Fifteen):
(Cancelled Stamp)

REPUBLIC OF VENEZUELA
(Illigible)
Certificate of Accuracy

STATE OF FLORIDA        )
COUNTY OF MIAMI-DADE    ) SS

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3307, dated June 12, 2000, concerning an inspection of the Ford Explorer with plates numbered GAT-367, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 9th day of February, 2001.

Maury Margaret Scharrer
Notary Public
State of Florida

My commission expires: 6/24/04

[Seal]
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(s):
FRANCISCO JESUS VELASQUEZ ARCA

MOTIVO:
INSPECCIÓN JUDICIAL

JUZGADO:
Cuarto de los Municipios de Valencia

FECHA DE ENTRADA:
Día: 12, Mens: JUNIO, Año: 2001

FECHA DEVOLUCION:
Día: , Mens: , Año: 

3307
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION
JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESÚS VÉLASQUEZ ARCAI, venezolano, mayor de edad,
domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N°
7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N°
54.892, procediendo en este acto en mi carácter de apoderado según se evidencia
de instrumento poder que se anexa a esta solicitud de BRIDGESTONE
FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A.
FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó
el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la
Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre
de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de
Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el
Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en
fecha veintiocho (28) de febrero de 1999, bajo el N° 2, Tomo 5-A, ante usted respectuosamente
ocupo y expongo: De conformidad con los artículos 192, 936 y 938 del Código de
Procedimiento Civil y 1.426 del Código Civil, juro la urgencia del caso, solicito la
habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se
obvié el requisito de la distribución, con el fin de que el Tribunal se traslade y
constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia
por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el
Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer, y el Tipo, Color y
Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados
en cada uno de sus rines.
TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.  

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.  

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.  

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.  

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.  

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.  

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.  

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.
ROSENO D. TERRABES, venezolano, de edad del presente, en el acto de domicilio, cívica o habilitado y titular de la cédula de identidad No. 6.297.165, actuará en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veinticuatro de octubre de 1956, bajo el No. 1, por el presente documento declaro: Que mi representada confiere poder amplio, bastante y suficiente, tanto en derecho como en que se requiera y sea necesario, a los abogados en ejercicio: RUBEN A. BENEZCO, HENRY TORREALBA LEGRANA, JOSÉ HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA PERNANDA GALDA, CLEMENITA DE CASTRO, MARGRET HUEH, CARLOS LUIS PIMENTEL SERHIQUES Y FRANCISCO J. VELASQUES ARCAJ, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.667.563; 3.661.625; 7.308.173; 6.865.624, 6.822.197; 10.325.678; 9.879.275; 7.129.625 y 7.121.659, respectivamente e inscritos en el INPREACOGADO bajo los Nos. 12, 11, 11, 19, 492, 56, 304, 12, 501, 56, 562, 40, 318, 55, 662 y 16, 663, también respectivamente, domiciliados los ocho primeros de los nombrados en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y sostengan los derechos, acciones u intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal de cualquier competencia, orden o jurisdicción, incluyendo pero
sínd notario público, por ante los Tribunales de Primera y
segunda instancia, de Distrito o de Municipio, Corte Suprema de
Justicia, Corte Primera en lo Contencioso Administrativo.
Tribunales Superiores en lo Contencioso Administrativo, Tribunales
Superiores en lo Contencioso Tributario, Tribunales en lo
Contencioso Administrativo, Tribunales Penales, Tribunales del
Trabajo y en fin, por ante todos los organismos, tribunales,
despachos, autoridades y/o funcionarios de carácter público o
privado. En el ejercicio del presente poder los prenombrados
apoderados están facultados para intentar y/o contestar toda clase
de demandas, reclamos, procedimientos, incidencias y/o
reconvenciones; elegir, oponer y/o contestar defensa y cuestiones
previas; hacer citas de saneamiento y/o de garantía; convenir,
desistir, transigir, renunciar a acciones o derechos y dejar de
ejercerlos si así fuera conveniente; solicitar acumulación de autos
o de acciones; diferir actos; suspender, ejercer, reclamar y
renunciar lapsos y recursos; recoger, demandar la nulidad y la
reposición cuando fuere necesario o conveniente; apelar, ocurrir de
hecho; promover cualquier medio de prueba y oponerse a la admisión
de los mismos a intervenir en todos los trámites o incidencias de
su evacuación; solicitar y tramitar cualquier medida preventiva
ejecutiva cuando así fuera necesario o conveniente o oponerse a las
mismas e intervenir en cualquier otra incidencia que pudiera
presentarse; incoar tercerías; tachar y/o desconocer toda clase de
documentos; tachar testimonios; hacer cesión de bienes; pedir
rendición de cuentas; proponer acciones petitorias o confesorias de
la especie que fueren; darse por citado o notificado; recibir y
entregar cantidades de dinero que legítimamente se adeuden,
otorgando y exigiendo los correspondientes recibos y finiquitos
 dispersion de los derechos en litigio; solicitar e intervenir en
procedimientos de remate; a tales fines hacer posturas y adquirir
en actos de remate; otorgar cualesquiera fíanzas y cauciones
requeridas por alguna Corte o Tribunal; oponerse a cualquier clase
de demandas o acciones; comprometer en arbitrios arbitradores o
702
REPUBLICA DE VENEZUELA. NOTARIA PÚBLICA Y JERARQUIA DE VENECIA. VALLADOLID

19 y 1364. El anterior documento redactado por el abogado JUAN

C. VELÁZQUEZ ARCAJ, inscrito en el Inpreabogado bajo el N°54992, fue

presentado para su autenticación y devolución, según pliego N° 243

271, de fecha: 30-1-96. Presente su otorgante dijo llamarse: ROMULO

S. TERRAZAS actuando en carácter de Presidente de BRIDGESTONE FIRE-

STONE VENEZOLANA, C.A., mayor de edad, domiciliado en: VALLE-

cia, de nacionalidad: VENEZUELA, de estado civil: CASADO

y titular de la cédula de identidad N° 6.297.255. Leído el documento

en presencia de la notaría expuso: "Su contenido es cierto y me la-

firma que aparece al pie del instrumento". La Notaría o tal virtud-

lo declara autenticado en presencia de los testigos: MANUELA JIMÉNEZ

y ESTHER CEJOR, titulares de las cédulas de identidad Nos: 10.737,

912 y 395.502, dejándolo inserto bajo el N° 28, Tomo: 11, de los libros de autenticaciones llevados en esta notaría. La Notaría

hace constar que tuvo para su vista y devolución el Registro de Comercio

de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., inscrita originalmente por-

ante el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil-

de la Septima Circunscripción Judicial del Edo. Carabobo, en fecha 23

de Octubre de 1956, bajo el N° 1. Igualmente para el otorgamiento del

presente documento la Notaría se Traslado y Constituyó en la Empresa-

BRIDGESTONE FIRESTONE VENEZOLANA, C.A., de esta ciudad a las: 10:15am

LA NOTARIO

[Signatura]

EL OTORGANTE

[Signatura]

LOS TESTIGOS:
La notario que susante hizo
conocer a su padre que anterior
fue recibido por el ciudadano
Ramos y ahorrado su presencia
en las personas de los
ciudadanos Diego Bustillos Beiner,
Henry Teale, Manuel Gallegos, Dios
Enrique D. Teale y Gabriela Rumin
Marquez, fue obremente firmado
ante la Notario 1a. a hora 4:15 del
Municipio Charco del Atrato Miranda
bajo el N° 146. Tono 96 fecha: 11-12-96.
Firma Notario,
REPÚBLICA DE VENEZUELA. ROSA RUEGA DE HOUTMANN. NOTARIO PÚBLICO TERCERO DEL MUNICIPIO AUTÓNOMO VALENCIA DEL ESTADO CARABOBO. QUIEN SUSCRIBE CERTIFICADO:

Que he confrontado la Copia fotostática constante del TERI (03)........Polícées útiles, que se traslada fiel y exacto del Documento inserte en esta Notaría durante el Año 1996...... bajo el Nº 78....., Toma: 114...... que dicha Copia fue realizada por la Ciudadana: SULIÉDA NOGUERA.......mayor de edad, Titular de la Cédula de Identidad Nº V-6.621.061......, persona capaz, Autorizada por mí para notarla y quien junto conmigo suscriba la presente Certificación...y cada una de sus páginas. Que dicha Copia se expide a solicitud de pág...
te interesado y Decreto de esta misma fecha, las cuales a continuación se ig...

Santa Ciudad: Notaría Pública Tercero de Valencia. Su Desecho. - Vec...-

DIEGO A. RIVERA,........mayor de edad, Titular de la Cédula de Identidad -

................9/11/1996 29......, de los Libros de Autenticaciones llevados por esa...
ta Notaría en fecha: 20-01-96...... En Valencia, a los: VEINTICINCO (25)......
días del mes de MAYO.......del DOS MIL. El Solicitante: (firma.) Legible.

Republica de Venezuela. Notaría Pública Tercero de Valencia. Valencia. 29--

DIEGO A. RIVERA,.......y a tal efecto se conformidad con lo establecido en el Ar...
título 121 de la Ley de Registro Público. Se designa a la Ciudadana: SULIÉ-

DA NOGUERA.......mayor de edad, Titular de la Cédula de Identidad Nº V-6...

621.061......este que realiza la apreciación de la Copia y suscriba cada una...
de las páginas junto con la Notaría. (firma.) ROSA RUEGA DE HOUTMANN. NOTARIO-

PUBLICO TERCERO DEL MUNICIPIO AUTÓNOMO VALENCIA DEL ESTADO CARABOBO. Valen-

cia, a los: VEINTICINCO (25), días del mes de: MAYO.......del DOS MIL...

1996 Años de la Independencia y 140 Años de la Federación. ...........

La Notaría: Notario Público Tercero de Valencia

DESIGNADA.-
CABO CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTAD, LOS ANGELES,
Y GUARAYA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DE LA III
DIVISIÓN DE SAN MARTÍN.

Valencia, 12 de Junio del 2.000.

1900 yela

Por medio de la presente solicita la distribución por
ser justa la urgencia del caso. Por vía habilitación en todo el
tiempo necesario, acuerde emita, firmése y constituyase el
tribunal al sitio indicado en la presente solicitud, a fin de
practicar la INVESTIGACIÓN JUDICIAL, solicita.

EL JUEZ MODERADOR:

DR. FELIPE C. CASTILLO M;

EL SECRETARIO TITULAR;

DR. JOSE LUIS SANZ M.

En la misma fecha se le dio entra la parte el NRO. 3307.

EL SECRETARIO TITULAR:

[Signature]
Amor de Despedida del día de Hoy Entiendió al día del fin, siendo
sus 11-20 de la aparición, se declaró...
respondieron al juramento de ley y para
completo y libremente con las obli-
gaciones. El tribunal da la constancia
que las fotografías fueron tomadas
con un cámara marca Polaroid
automática, 636 blanco y negro
metalico con un color especial, 790
frase, el otro una, cámara marca
contemporanea a la fecha,
declarado, fueron que fueron
frente de la presente
Judicial: - Seguidamente el Juez de
para a practicar la disposición
Judicial (Juez de
y de la siguiente
Conclusión: El tribunal
doa la constancia que sea el citado
de su comparecer Constituido se en-
contuvieron un vehículo marca Ford.

explicar el caso que plantea tipo 24X4.17
sancion: 637 36 F. - Seguido el Juez-
por acrecentar que el juzgado da
constancia que el vehículo antecede
tiempo. Tiene limites deches para
todos los demás, que son más
lámicas. El tribunal acordó que el
juzgado de la constancia que al
ubica en la parte trasera del
en vehículo según el
identificaciones: Continental Conti
08 08 L235/75 R15; 22178; 6 Cav.
01 01 L13 235/75 R15; 22198; 6 Cav.
02 02 L13 235/75 R15; 22198; 6 Cav.
03 03 Hankook, segundo: Continental Conti
04 04 145/75 R15, 22163-81
711

VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 00717 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739

[Texto en español]

711
que el kilometraje del vehículo fue de 568.3 km, y como se notificó al
comisario que los hechos que se
manifestan al vehículo a este taller
qué por accidente de tránsito y estar
atrapado; según explicación que se
manipula el tipo de daño que el
llamado "llamado se le y confirme
firmar. Todo lo escrito está

El Juez Sorpone
Dr. Raúl de Castilla Jr.

El solicitante:

El Testigo

La sostiene per

-SS
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): Attorney FRANCISCO JESUS VELASQUEZ ARCAY, legal counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITY OF JUAN JOSE MORA IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

DATE OF ENTRY: Day: 07 Month: August Year: 2000

DATE RETURNED: Day: 07 Month: August Year: 2000

No. 54/2000
STATE OF CARABOBO
(Court of First Instance)

Fee for Fiscal Stamp – Value: 148 Bolivars

CA 98 – No. 94214020

(Hand written) One (1)

(Real)

719

JUDGE IN AND FOR THE MUNICIPALITY OF JUAN JOSE MORA IN THE JUDICIAL DISTRICT
OF THE STATE OF CARABOBO

In his office,
I, FRANCISCO JESÚS VELASQUEZ ARCAV, a citizen of Venezuela, of age, domiciled in Valencia,
State of Carabobo, holder of national identity card No. 7,121,638, a practicing attorney, registered
with the Venezuelan Bar Association under No. 54,892, appearing herein in my capacity as legal counsel, as
evidenced by the power of attorney attached to this petition of BRIDGESTONE FIRESTONE
VENEZOLANA, C.A., a stock company formerly known as C.A. FIRESTONE VENEZOLANA,
which was registered with the Commercial Register that was maintained by the Second Court of the First
Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the
twenty-third (23th) day of October, 1956, under No. 1, the amendments thereto being assembled in one
body of documentation as set forth in the Minutes of the Extraordinary General Shareholders’ Meeting
recorded in the First Commercial Register and for the Judicial District of the State of Carabobo on
January 8, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In
accordance with Articles 192, 935 and 936 of the Code of Civil Procedure, and Article 1,429 of the Civil
Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the
necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into
session at the location of which I shall advise it in due course, in order to have the following items placed
on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session of a vehicle described as
follows: Make: Ford, and the model, type, color and plates evidenced by the inspected vehicle. ______

TWO: As to the make, type and serial number of each of the tires mounted on each rim of the inspected vehicle.

THREE: As to the general condition of the tires mounted on each rim of the inspected vehicle and their
tread.
FOUR: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

FIVE: That photographs be taken of the bodywork and condition of the inspected vehicle.

SIX: That a statement be placed on the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 302 "eisdem", I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been compiled with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Morón, on the date of the submission for filing hereof.

(Signed – illegible)
STATE OF CARABOBO
(Court of Arms)
Fee for Fiscal Stamp - Value: 148 Bolivars

CA 98 - No. 04214420

submitted by attorney Francisco Jesús Velásquez Arceay, Venezuelan Bar Association No. 54,892, in his capacity as legal counsel for Bridgestone Firestone Venezuela, C.A., formerly known as "Firestone Venezolana", today, the seventh day of August in the year two thousand, during office hours, consisting of one (1) sheet of paper.

The Filer,
(Signed) (Illegible)

Clerk,
(Signed) (Illegible)

COURT IN AND FOR THE MUNICIPALITY OF JUAN JOSE MORA IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.


190th Year of Independence and 141st Year of the Federation

The foregoing petition, consisting of one (1) sheet of paper, has been filed. It is ordered that it be admitted and every part thereof be complied with. To this end, it is ordered that the Court be transferred and called into session at the location indicated by the petitioner, in order to conduct the requested Judicial Inspection. The appointment of the Expert Photographer and the Expert will be made at the time the inspection agreed to is held.

Provisional Judge,
(Signed) (Illegible)

Admitted under No. 54/200 on this same day.

Clerk,
(Signed) (Illegible)

Clerk
(Signed) (Illegible)

(Back of Page Two)
(Illegible stamp in center of page)
Today, the seventh day of August in the year two thousand, during office hours, the Court was transferred to and called into session at “Punto Fijo” parking lot on the Morón-Coro Highway, Morón, in the Municipality of Juan José Mora in the State of Carabobo, in order to conduct the Judicial Inspection petitioned for and agreed to by this Court. Present at this inspection was attorney, Francisco Jesús Velásquez Areay, Venezuelan Bar Association Number 54,892, in his capacity as counsel for "Bridgestone Firestone Venezolana, C.A.", formerly known as C.A. Firestone Venezolana", as set forth in the Power of Attorney that he submitted to the Court for its review and return. Citizen Xioman de Marín, holder of identity card No. 3,897,272, was served with a subpoena regarding the Court’s mission, in her capacity as owner of the parking lot at which the Court was called into session. Citizen, Jeluset Jezer Houtmann Roeda, holder of identity card No. V-13,236,378, was appointed as the photographer to take photographs illustrating this Inspection, and Citizen Oscar Ramón Chirinos López, holder of identity card No. V-8,594,373 was appointed as the expert to advise the Court on this Inspection; being present, they accepted the assignment, .....
were sworn in as provided by Law and stated under oath that they would properly and faithfully fulfill their assignments. Then, with regard to Item No. ONE, the Court stated for the record that it had been transferred and called into session at the "Punto Fijo" parking lot, located in this City of Morón, where a vehicle had been left, class: truck, make: Ford, model: Explorer XLT (Elite), Type: 4x2, color: wine, plates: OAD 41H (new illegible). With regard to Item No. TWO, upon the advice of the expert who had been appointed, the Court stated for the record that the front right tire was, Make: Goodyear, type: Wrangler RT/S, serial number MTS P255/70R-16 1095. The rear right tire was: make: Goodyear, type: Wrangler RT/S, serial number MTS P25570R-16 1095. The front left tire was: make: Goodyear, type: Wrangler RT/S, with no visible serial number. The rear left tire was: make: Goodyear, type: Wrangler RT/S, serial number MTS P255/70R-16 1095. With regard to Item No. THREE, upon advice from the expert who had been appointed, the Court stated for the record that the tires mounted one on each of the rims of the inspected vehicle and their tread were in good condition. With regard to Item No. FOUR: The Court stated for the record that the photographer who had been appointed was ordered to take photographs of each of the tires mounted on each rim .........
of the inspected vehicle and also with respect to Item No. FIVE, the photographer who had been appointed was ordered to take photographs of the inspected vehicle's bodywork. With regard to Item No. SIX, the Court stated for the record that the roof of the inspected vehicle was caved in, most particularly on the right front side; there was denting and misalignment of both the right side of the vehicle and the left side, and the hood was dented. Upon a verbal request from the petitioner who was exercising the right to speak that he had reserved, this Court stated for the record that the current mileage showing on the inspected vehicle was 41,901 kms. In addition, it was stated for the record that the subpoenaed party stated to the Court that the inspected vehicle was brought into this lot as a result of a rollover-type traffic accident. It was stated for the record that citizen, Jeluht Jezer Houtmann Rueda, who is identified above, in her capacity as stated on the record, forthwith delivered fourteen -14- photographs taken with a Polaroid Close Up 636 camera, that were immediately .........
added to this record, so as to form an integral part of this Inspection. Now, therefore, there being no further requests, the Court adjourned the Inspection and agreed to transfer back and resume its session at the Courthouse. Completed, read and signed by the undersigned who are in agreement therewith. Amendments. OK.

Provisional Judge,
(Signed) (Illegible)
(Stamp) (Illegible)

Petitioner,
(Signed) (Illegible)

The Subpoenaed Party,
(Signed) Xiomara de Martín

The Photographer,
(Partial stamp on right – illegible)

Expert Mechanic,
Oscar Chirino

CLERK,
(Signed) (Illegible)
I, ROSENDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this City, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the City of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D’APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAILA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIZ PIMENTEL HERNÁNDEZ and FRANCISCO J. VELASQUEZ ARCAY, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563; 3,661,025; 7,308,173; 6,845,624; 6,822,699; 10,235,670; 9,879,275; 7,139,825 and 7,121,658, respectively, who are registered with the Venezuelan Bar Association (“ASPREEGADO”) under Numbers 13,946; 11,503; 19,692; 26,304; 32,501; 54,502; 48,338; 55,660 and 54,892, respectively, the first eight of said attorneys being domiciled in the City of Caracas, Federal District, and the last one being domiciled in the City of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ....

(Handwritten): No. 28 – T.11
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any kind public or private. The guarantors named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, trial events, and/or counterclaim, allege, object to and/or answer prior defenses and questions, call for third party remedies and/or guarantees, agree to, dismiss, settle and waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, de facto appeal; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accountings, move for petitionary or easement enforcement proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantees required by any Court or Tribunal; object to any kind ...
of bond or guarantee, settle at arbitration, with arbitrators and/or at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their jurisdictional levels, trial events and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from Constitutional Guarantee proceedings, propound and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not restrictive and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I state for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of Article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original statutory incorporation papers of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.): TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

(Three canceled stamps at bottom of page)
REPUBLIC OF VENEZUELA
(Seal)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Receipt Stamp)
REPUBLIC OF VENEZUELA
Ministry of Finance
Name of Applicant: 
Identification Number: 
For: Legal Basis: 
H-91  H-91 1310203
1000
REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on
the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th
year of the Federation. The foregoing document, which was prepared by attorney, FRANCISCO
VELASQUEZ ARCAY, who is registered with the Venezuelan Bar Association under number 54892,
was submitted for authentication and return, as per form No. 243271, dated: January 30, 1996. The
grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his
capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled
in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,297,265. He
read the document in the presence of the Notary and stated: “The content thereof is true and correct and
the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be
authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of
identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained
by this Notary’s Office under No. 28, Volume II. The Notary states for the record that she examined and
returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Commercial Register,
which was originally registered with the Second Court of the First Instance for Civil and Commercial
Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also,
the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this City at 10:15
a.m. for the execution of this document.

THE NOTARY
(Stamp – illegible)
(Signed) (Illegible)

(Stamp)
Rosa Rueda de Hournnann
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

GRANTOR:
(Signed) (Illegible)

THE WITNESSES:
(Three signatures – illegible)
(Three canceled stamps across bottom of page)
Republic of Venezuela
(Seal)
Office of the Third Notary Public in and for Valencia
(Handwritten) The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen, Ramón J. Alvira Sant, and the exercise thereof is restricted to the following individuals: citizen, Diego Bustillos Beiner, Henry Torrealba, Mario Calosso, José Enrique D'Apollo and Gabriela Niñez Márquez, pursuant to a document executed at the 8th Notary's Office, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, date: December 11, 1996.

THE NOTARY
(Stamp – illegible)

(Signed) (Illegible)

(Stamp)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Handwritten) (Five partial stamps on right)
Republic of Venezuela
(Seal)
Office of Third Notary Public of Valencia

(Handwritten) (Six stamps across top of page)
Republic of Venezuela
(Seal)
Office of Third Notary Public in and for Valencia

(Stamp)

Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That she has compared the photocopy consisting of THREE (03) usable sheets of paper and that it is a true and correct copy of the document inserted at this Notary's Office during the year 1998, under No. 28, Volume 11. That said copy was made by citizen: SULEIDA NOGUERA, ..., of age, Holder of Identity Card No. V-5,622,001, ..., a legally competent person, who is authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said Copy is issued at the request of the interested party and by Decree of this same date, which are inserted below: Citizen: Third Notary Public in and for Valencia. In her office, I, MARJORIE RUSELL, ..., of age, holder of Identity card No. V-12,606,141, am requesting a certified photocopy of document No. 28, ..., Volume 11, ..., in the Books of Authentications maintained by this Notary's Office, dated January 30, 1996. In Valencia, on the EIGHTEENTH (18th) ... day of the month of May ..., TWO THOUSAND. The Applicant (signed) Eligible. Republic of Venezuela. Office of Third Notary Public in and for Valencia. Valencia, May 18, 2000, for this purpose, in compliance with the provisions of Article 120 of the Public Records Law. Citizen: SULEIDA NOGUERA, ..., of age, Holder of Identity Card No. V-5,622,001, ..., is appointed to perform the photocopying and sign each of the pages together with the Notary. (signed) ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO. Valencia. On the EIGHTEENTH (18th) ..., day of the month of MAY ..., TWO THOUSAND. 18th Year of Independence, and 140th Year of the Federation.

THE NOTARY

(Signed) (Illegible)

(Rosita Rueda de Houtmann)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA
(Stump)
Republic of Venezuela
(Seal)
Office of Third Notary Public in and for Valencia

THE APPOINTEE
(Signed) (Illegible) Noguera
(Handwritten) 17
(Two stamps with illegible initials)
Republic of Venezuela
(Seal)
Office of Third Notary Public in and for Valencia
(Five partial stamps on right)
Republic of...
(Seal)
Third Notary Public......

THE UNDERSIGNED NOTARY certifies that she reviewed and returned Form 16 No. 1286519, paid at Banco Caracas on May 19, 2000 issued by the MINISTRY OF FINANCE
THE NOTARY
(Signed) (Illegible)
(Stamp)
Rosa Rueda de Houtmann
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Three stamps down page, three cancelled)
REPUBLIC OF VENEZUELA
(Seal)
OFFICE OF THIRD NOTARY PUBLIC IN AND FOR VALENCIA
I certify that this is a true and correct copy of the original, I am certifying and issuing same, upon the Judge's orders, once it has been compared with the original that the Court had for review and return, in Morón, on the seventh (7th) day of the month of August in the year two thousand. - Years: 190th year of Independence and 141st year of the Federation.

Clerk
(Stamp)

REPUBLIC OF VENEZUELA
(Seal)
(Illegible)

(Stamp - illegible)

(Back of Page Nine)
(Two stamps - illegible)
Returned on this date, consisting of 14 sheets of paper.

(Stamp)
REPUBLIC OF VENEZUELA
(Seal)
(Illegible)

Clerk
(Signed) (Illegible)

(Stamp - illegible)

(Back of Page Fourteen)

(Stamp) (Illegible)
Certificate of Accuracy

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 54/2000, dated August 7, 2000, concerning an inspection of the Ford Explorer with plates numbered OAD-41H, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 6th day of February, 2001.

Maury Margaret Scharer
Notary Public
State of Florida

My commission expires 02 24 2004
SOLICITANTE D: [Nombre del solicitante]
MOTIVO: [Motivo de la solicitud]
AÑADIDO: [Información adicional]
FECHA DE ENTRADA: Dia. 07 Mes. 4 Año. 2000
FECHA DE DEVOLUCION: Dia. 09 Mes. 6 Año. 2000
Ciudadano
JUEZ DEL MUNICIPIO JUAN JOSE MORA DE LA CIRCUNSCRIPCION
JUDICIAL DEL ESTADO CARABOBO
Su Despacho

Yo, FRANCISCO JESUS VELASQUEZ ARCAV, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.121.658, abogado en ejercicio, inscrito en el INPREA BOGADO bajo el N° 54.882, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA C.A., compañía anónima antes denominada C.A.

FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiocho (28) de enero de 1997, bajo el N° 2, Torno 8-A, ante usted respetuosamente ocuyo se expone: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicitó la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvió el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford y del Modelo, Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

TERCERO: De las condiciones generales de los cauchos instalados en cada uno...
HIZARDE DEL MUNICIPIO JUAN JOSE MORA DE LA JURISDICCIÓN JUDICIAL.
DEL ESTADO DE... MUNDO, 07 DE AGOSTO DEL 2.000, 1908 Y 1919.

Por presencia la anterior solicitud constante de un (1) sílo -

del día ímproso y auspicios en torno a su porción al efecto, -

presidido por el Tribunal el más indicado por el solicita-

ante, a fin de practicar la Inspección Judicial solicitada, la

Resolución del Juez Prófugo y del Secretario, se hacen en el vo-

rente de practicarse la Inspección solicitada.

El Juez Procesal.

La Secretaria.

En la vista de la se dio entrada bajo el NÚM 4/1909.
La fecha de hoy es el 20 de agosto de 2000.

La ciudad de Nueva York, en el condado de Nueva York, en el estado de Nueva York, en el país de los Estados Unidos de América.

El Juez Supreme Court, en el distrito de Manha, en el estado de Nueva York.

La ciudad de Nueva York, en el condado de Nueva York, en el estado de Nueva York, en el país de los Estados Unidos de América.

La fecha de hoy es el 20 de agosto de 2000.
...
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S):  FRANCISCO JESUS VELASQUEZ ARCA

REASON:  JUDICIAL INSPECTION

COURT:  IN AND FOR THE MUNICIPALITY OF JOSE FELIX RIBAS AND JOSE RAFAEL REVENGÁ

DATE OF ENTRY:  Day Ninth Month AUGUST Year 2000

DATE RETURNED:  Day Month Year

No. 1483-00

C.22
(Hand written) One (1)

(Seal)
STATE OF ARAGUA
(Coat of Arms)
Fee for Sealed Paper = Fifty-four Bolívares

Ar-96 No. 323724 -

Citizen:
JUDGE IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIVAS AND JOSE RAFAEL
REVenga IN THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA

In his office,
I, FRANCISCO JESÚS VELASQUEZ ARCAy, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of national identity card No. 7,121,658, a practicing attorney, registered with the Venezuelan Bar Association under No. 54,852, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition OF BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session of a vehicle described as follows: Make: Ford, and the Model, Type, Color and Plates evidenced by the inspected vehicle.

TWO: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

THREE: As to the general condition of the tires mounted on each rim of the inspected vehicle and their tread.
FOUR: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

FIVE: That photographs be taken of the bodywork and condition of the inspected vehicle.

SIX: That a statement be placed on the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 ejusdem, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the submittal for filing hereof.

(Signed - illegible)

(Stamp)
Bolivarian Republic of Venezuela
In the Judicial District of
The State of Aragua
(Seal)
In and for the Municipalities of
José Félix Rivas and José Rafael Revenga

(Hand written) Submitted for filing today, August 9, 2000
consisting of one (1) sheet of paper.
(Signed) (illegible)
(Two partial stamps down left margin:)
Bolivarian Republic of Venezuela
In the Judicial District of
The State of Aragua
(Seal)
In and for the Municipalities of
José Félix Rivas and José Rafael Revenge

(Handwritten) Two (2)

(Stamp in center of page:)
Republic of Venezuela
(Coat of Arms)
(Initials - Illegible)
Third Notary Public in and for Valencia

(Back of Page Two):
(Four stamps down right margin:)
Republic of Venezuela
(Coat of Arms)
(Initials - Illegible)
Third Notary Public in and for Valencia
I, ROSENO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDEMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS FIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAY, all citizens of Venezuela, of age, holders of law degrees and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,159,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association under Numbers 13,946, 11,568, 19,692, 26,304, 32,501, 54,502, 46,338, 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ….

(Handwritten at bottom of page)

No. 28 – Volume 11
not limited to, the courts of the First or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantee named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle and waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and grant extensions of time and waive appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accounting, move for petitioner or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal; object to any kind of bond or guarantee, settle at arbitration, with arbitrators and/or ................

(Four partial stamps down right margin)
Republic of...
(Seal)
Third Notary Public...
at arbitration proceedings at law; request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propound and answer interrogatories under oath, file claims and small claims and refrain from doing so, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limiting and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective order: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register of the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)
REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAI, who is registered with the Venezuelan Bar Association under number 54852, was submitted for authentication and return as per form No. 243271, dated: January 30, 1996. The grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,297,265. He read the document in the presence of the notary and stated: "The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine." The Notary therefore declared it to be authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s office under No. 28, Volume 11. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Commercial Register, which was originally registered with the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this city at 10:15 a.m., for the execution of this document.

THE NOTARY:

(Stamp)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

GRANTOR:
(Signed) (Illegible)

THE WITNESSES:-

(Three stamps)

(Two signatures – illegible)

Republic of Venezuela

(Seal)

Third Notary Public in and for Valencia
The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón J. Alvins Santi, and the exercise thereof was restricted to citizens Diego Bustillos Beiner, Henry Torrealba, Mario Calpso, José Enrique D'Apollón and Gabriela Núñez Márquez, by means of an instrument signed before the 8th Notary's Office, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, on December 11, 1996.

The Notary,
(Signed) (Illegible)

(Stamp)
ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Three stamps)
Republic of Venezuela
(Coat of Arms)
Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That she has compared the photocopy consisting of THREE (03) sheets of paper, and that it is a true and correct copy of the Document that was inserted at this Notary's Office in 1996, under No. 28, Volume 11, that said copy was made by citizen SULEIDA NOGUERA ..., of age, Holder of Identity Card No. V-5,622,001, a capable person who is Authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of this same date, which are inserted below. Citizen Third Notary Public in and for Valencia. In her office.


THE NOTARY
(Signed) (Illegible)
(Stamp)

THE APPOINTEE—
(Signed) (Illegible)
(Stamp)

Republic of Venezuela
(Seal of Arms)

Third Notary Public in and for Valencia
THE UNDERSIGNED NOTARY certifies that
she reviewed and returned Form 16 No. 1286519,
paid at Banco Caracas on May 19, 2000
issued by the MINISTRY OF FINANCE

THE NOTARY

(Signed) (Illegible)
(Stamp)
ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(REPUBLIC OF VENEZUELA)
(Seal)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA
COURT IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIBAS [sic] AND JOSE RAFAEL REVENGA IN THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA. La Victoria, the ninth day of August, in the year two thousand.

Having reviewed the petition filed by Francisco Jesús Velásquez Arcay, a citizen of Venezuela, of age, domiciled in Valencia and here in transit, holder of identity card No. 7,121,658, a practicing Attorney, registered with the Venezuelan Bar Association under No. 54,892, appearing herein in his capacity as counsel, as evidenced by the power of attorney attached to this petition of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. a corporation formally known as C.A. FIRESTONE VENEZOLANA, it is admitted to the extent provided by law. Consequently, it is ordered that the Court be transferred and called into session anywhere the petitioner indicates and that the requested Judicial Inspection be conducted; 12:00 p.m. today is scheduled for the said inspection.

(Stamp)
Bolivarian Republic of Venezuela
In the Judicial District
Of the State of Aragua
(Seal)
Court in and for the Municipalities
Of José Félix Rivas and José Rafael Revenga

Judge,
(Signed) (Illegible)
Dr. Clemente Martínez E.

Clerk,
(Signed) Pilar M. de Mendoza
Pilar M. de Mendoza

(Hand written) Eight (8)

(Two partial stamps down left margin – illegible)
STATE OF ARAGUA
(Coat of Arms)
Fee for Sealed Paper – Fifty-four Bolívares

Ar-96 No. 323680 –

Court in and for the Municipality of José Félix Rivas and José Rafael Revega in the Judicial District of the State of Aragua. La Victoria, the ninth day of August in the year two thousand. 190th Year of Independence and 141st year of the Federation.

On this day, being the scheduled time, the Court, accompanied by the petitioning attorney, Francisco Jesús Velásquez Arcay, acting in his capacity as counsel for the commercial company, Bridgestone Firestone Venezolana, C.A., as identified in the record, was transferred to and called into session at the premises of the San Sebastian parking Lot located on the Victoria-Zuata highway, the location indicated by the petitioner for holding the required visual inspection. Upon arrival at the location, the Court served citizen Marco Antonio Perez, holder of identity card No. 13,389,485, with a subpoena explaining why the Court had been transferred there. As requested in the petition, the Court then appointed citizen Luis Armando Olivo (Illegible), holder of identity card No. 10,736,138 who, being present at this inspection, accepted the assignment and was sworn in as provided by law. Citizen Jesús Salcedo, holder of identity card No. 8,694,553, was also appointed as the expert mechanic, and being present at the inspection, he was sworn in as provided by law.
The Court then went to the conduct the Judicial Inspection and to this end, it stated for the record, with regard to Item ONE: The Court stated for the record that on the San Sebastian parking lot premises there was a vehicle, Make: Ford, Type: Explorer, color: White, plate: DAZ-86F, which is the subject of this inspection. Item TWO: The Court stated for the record that the vehicle's front left tire was, Make: Goodyear, Wrangler RT/S, Serial Number LT235/75R15 101 / 104-S; the front right tire was, Make: Goodyear, Wrangler RT/S, no visible serial number; the rear right tire was: Make Goodyear Wrangler RT/S, serial number LT235/75 R15 101 / 104-S, and rear left tire was: Make: Goodyear, Wrangler RT/S – serial number LT235/75 – R15 – 101 / 104-S. Item THREE: The Court stated for the record that it was noted that the tires and their tread were in good condition. Item FOUR: The Court stated for the record that photographs were then taken of the tires that were installed, using an instant photograph Polaroid Close Up 536 camera. Item FIVE: The Court then ordered the photographer who had been appointed to take photographs of the bodywork of the inspected vehicle, using said camera. Item SIX: The Court stated for the record that the bodywork of the vehicle that is the subject of this inspection, had dents in the roof, hood, front left mudguard,......
the left side was dented and the windshield was broken, the front bumper was bent, and in general, almost the entire vehicle was dented and generally misaligned. At this point, the petitioner intervened and asked the Court to state the vehicle’s mileage for the record and also the reason why the vehicle was at this parking lot. At this point, the Court, with the assistance of the expert who had been appointed, stated for the record that the mileage shown on the odometer was 14,333 [kilometers]. The Court also stated for the record that the subpoenaed party advised that he knew that the vehicle was brought in due to a traffic accident with a rollover. At this point, the petitioner stated: I ask the Court to state for the record that there is a tire inside the vehicle and the make, type and serial number of same. In view of this request, the Court stated for the record that it was noted that there was a tire inside the vehicle. Make: Goodyear, Wrangler RT/S, serial number LT235/75L15 101/104-S. That is all. The Court then ordered that the photographs be added to this inspection, marked 1 through 9, so as to form a part thereof. Having completed the inspection, the Court ordered a return to the courthouse. (Illegible) and return this original petition with the results thereof...
(Back of Page Ten)

...Completed, read and signed by those below who are in agreement therewith.

(Stamp)
Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Sign)
Court in and for the Municipalities
Of José Félix Rivas and José Rafael Revena

THE JUDGE,
(Signed) (Illegible)

Petitioner,
(Signed) (Illegible)

Subpoenaed party
(Signed) Marco

Photographer
(Signed) (Illegible)

Expert
(Signed) (Illegible)

CLERK,
(Signed) (Illegible)

(Handwritten) Original with results returned this same day.

CLERK
(Signed) (Illegible)

(Stamp)
Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Sign)
Court in and for the Municipalities
Of José Félix Rivas and José Rafael Revena

(Initials – illegible)
Certificate of Accuracy

STATE OF FLORIDA
 )
 ) SS
COUNTY OF MIAMI-DADE )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 1483-00, dated August 9, 2000, concerning an inspection of the Ford Explorer with plates numbered DAZ-86F, is accurate, true and complete, to the best of my knowledge, ability and belief.

[Signature]
Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

[Signature]
Elena Rosado
Notary Public
State of Florida

[Seal]
My commission expires: 1/19/03
REPÚBLICA D.F. VENEZUELA. NOTARÍA PÚBLICA DE VALENCIA. Valencia 1.0.0.1.0.0.0.

El anterior documento redactado por el abogado FRANCISCO VELASQUEZ ARAY, inscrito en el impreso_bgabo bajo el N° 54992, fue presentado para su autenticación y devolución, según planilla Nº 243 271, de fecha: 30-1-96. Presente su otorgante dijo llamarse: RODOLFO S. TERRADAS, actuando en carácter de Presidente de BRIDGESTONE FIRESTONE VENEZUELA, C.A., mayor de edad, domiciliado en: VALLE   

Carnet de identidad: 10.525.265, de estado civil: Casado, titular de la cédula de identidad Nº 8.297.265. Luego el documento y presencia de la notario exposo: “Su contenido es cierto y me la firma que aparece al pie del instrumento”. La Notario e tal virtud lo declara autenticado en presencia de los testigos: MARIELA JIMÉNEZ Y ESTHER DE CESAR, titulares de las cédulas de identidad Nos.: 10.737. 912 y 395.502, dejándolo inserto bajo el Nº 28, Tomo: 11, de los libros de autenticaciones llevados en esta notaría. La Notario hace constar que tuvo para su vista y devolución el registro de Comercio de BRIDGESTONE FIRESTONE VENEZUELA, C.A., inscrito originalmente por ante el Juzgado Segundo de Primera Instancia en la Civil y Mercantil de la Sexta Circunscripción Judicial del Estado Carabobo, en fecha 23 de diciembre de 1996, bajo el Nº 1.-Igualmente para el otorgamiento del presente documento la Notario se trasladó y Constituyó en la Empresa BRIDGESTONE FIRESTONE VENEZUELA, C.A., de esta ciudad a las: 10:45h.

LA NOTARIO.

[Signatura]
NOTARIO PÚBLICO DEVALENCIA.

[Signatura] EL OTORGANTE.

[Signatura] LOS TESTIMOS.
REPUBLICA DE VENEZUELA
Rosa Rueda de Houtmann, Notario Publico Tercero del
Municipio Autonomo de Valencia del Estado Carabobo, Quien Suscribe Certifica:

Que he confrontado la Copia fotostaticia constante de: TRES (03) folios
dellos, que es traseada fiel y exacta del Documento inserido en esta Notaria
Durante el ano: 2001 bajo el Núm. 207-Tomo: 11º, y que dicha Copia
fue realizada por la Ciudadana: SUEIDA NOGUERA, mayor de edad, Titular de la Cédula de Identidad Núm. V-105,222,001, persona capaz, Autorizada
por mi para hacerla y quien junto conmigo suscribe la presente Certifica-
ción y cada una de sus páginas. Que dicha Copia es expedida a solicitud de pa-
ra Interesado y Decreto de esta misma fecha, las cuales a continuación es in-
formadas a continuación:
En Valencia, el Día: 12 DE MAYO (18) del año: 2001, que la Notaria en fecha: 30-01-01, en Valencia, a los: DIECIOCHO (18) dias del mes de:
MAYO-------del DOS MIL. El Solicitante: (fax): INGLORIO
R. R. de Venezuela, Notario Publico Tercero de Valencia, Valencia, 10-
02,000,-----y a tal efecto es conforme con lo establecido en el Ar-
cítulo 120 de la Ley de Registro Publico. Se designa a la Ciudadana: SUEI-
DA NOGUERA, mayor de edad, Titular de la Cédula de Identidad Núm. V-105,222,001, para que realice la operación de la Copia y suscribe cada una de las páginas junto con la Notaria. (fax) ROSA RUEDA DE HOUTMANN, NOTARIO
PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARABOBO. Valen-
cia, a los: DIECIOCHO (18) días del mes de: MAYO-------del DOS MIL,
1898 AÑOS DE LA INDEPENDENCIA Y 140º AÑOS DE LA Federación.
JUicio DE LOS MUNICIPIOS JOSE FELIX RIBAS, JOSE RAFAEL REVenga
DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO ARAGUA, LA VICTORIA:

Vista la solicitud presentada por Francisco Jesus Velasquez
Arroyo, venezolano, mayor de edad, domiciliado en Valencia y aquí
de tránsito, titular de la cédula de identidad No. 7.121.658, -
Abogado en ejercicio, inscrito en el Inpresabogado bajo el No. -
54.892, procediendo en este acto en el carácter de apoderado —
según se evidencia de instrumento de poder que se anexa a esta
solicitud de BRIDGESTONE FIRESTONE VENEZOLANA C.A. compaño anóni-
nima antes denominada C.A. FIRESTONE VENEZOLANA, Se admite cuan-
to ha lugar en derecho. En consecuencia trasladece y constituya-
se al tribunal donde indique el solicitante y práctiques la —
Inscripción Judicial, seguidamente se fija para dicho acto el día
de hoy a las tres horas y cuarto minutos.-

El Juez,

[Signature]

Secretaría,

[Signature]

Pilar M. de Mendoza

S- 1483-
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESUS VELASQUEZ ARCAY

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day: 17 Month: AUGUST Year: 2000

DATE RETURNED: Day: Month: Year: 

No. 3370
(Hand written) One (1)

STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp - Value: 148 Bolivars

CA 98 - No. 04214573

Citizen:
Forth Judge in and for the Municipalities of Valencia, Libertador, Los Guayos, Naguanagua and San Diego in the Judicial District of the State of Carabobo
In his office.

I, FRANCISCO JESÚS VELASQUEZ ARCAY, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of national identity card No. 7,121,658, a practicing attorney, registered with the Venezelan Bar Association under No. 54,892, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session, of a vehicle described as follows: make: Ford, model: Explorer, and the type, color and plates evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims.
THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

FOUR: As to the general condition of the tires mounted on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.  

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be placed on the record as to the general condition of the vehicle's bodywork.  

As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of submission for filing hereof.

(Signed – illegible)

Submitted for filing on August 17, 2000
consisting of one (1) sheet of paper with one (1) exhibit.

Amendments: NONE

9:30 a.m. during office hours

GIVEN IMMEDIATELY TO JUDGE

(Signed) (illegible)
(Hand written) Two (2)

(Stamp)
Republic of Venezuela
(Seal)
(Initials - illegible)
Third Notary Public in and for Valencia

(Back of Page Two):

(Four stamps in right margin)
REPUBLIC OF ..........  
(Illegible)
ATTORNEY
VENEZUELAN BAR ASSOCIATION NO. 54,892

I, ROSENDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVENS SANTI, MARIA FERNANDA ZAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAV, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563; 3,661,025; 7,308,173; 6,845,624; 6,822,699; 10,355,679; 9,879,275; 7,139,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("INPREABOGADO") under Numbers 13,946; 11,568; 19,652; 26,304; 32,501; 54,502; 48,338; 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ...
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantees named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle and waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accountings, move for petitionary or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal; object to any kind ...
of bond or guarantee, settle at arbitration, with arbitrators and/or at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propound and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limiting and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of....
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders’ Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders’ Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

[Handwritten notes and stamps on the page]
REPUBLIC OF VENEZUELA

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAY, who is registered with the Venezuelan Bar Association under number 34892, was submitted for authentication and return, as per Form No. 243271, dated: January 30, 1996. The grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,257,265. He read the document in the presence of the notary and stated: “The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s Office under No. 28, Volume 11. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.‘s entry in the Companies Register, which was originally inscribed in the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.‘s premises in this City at 10:15 a.m. for the execution of this document.

THE NOTARY

(Signed) (Illegible)

(Rosa Rueda de Houtmann)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

GRANTOR

(Signed) (Illegible)

THE WITNESSES.

(Three canceled stamps across bottom of page)

Republic of Venezuela

(Seal)

Third Notary Public in and for Valencia
(Handwritten) The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón J. Alveez Santi, and the exercise thereof is restricted to the following individuals: citizen Diego Bustillos Beiner, Henry Torrealba, Mario Calosso, José Enriquez D'Apollo and Gabriela Núñez Marquez, pursuant to a document signed in the presence of the 8th Notary, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, date: December 11, 1996.

THE NOTARY,
(Stamp – illegible)
(Signed) (Illegible)
(Stamp)

Rosa Rueda de Houtmann
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Three cancelled stamps down middle of page)
Republic of Venezuela
(Seal)
Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA, THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That I have compared the photocopy consisting of three (03) sheets of usable paper and that it is a true and correct copy of the document inserted at this Notary's Office during the year 1996 under No. 28, Volume 11..., that said copy was made by citizen: SULEIDA NOGUERA... of age, Holder of Identity Card No. V-5,622,001... is (legally) competent person who is authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of this same date, which are inserted below: Citizen: Third Notary Public in and for Valencia. In her office, I, AN OFFICER OF BAKER & MCKENZIE... of age, holder of identity card No. 55555, am requesting a Certified Photocopy of document No. 28..., Volume 11..., from the Books of authentications maintained by this Notary's Office dated January 30, 1996... In Valencia, on the TWENTY-FIFTH (25th) day of the month of MAY... TWO THOUSAND. The Applicant (signed) illegible: Republic of Venezuela. Office of the Third Notary Public in and for Valencia. Valencia, May 25, 2000, for this purpose, in compliance with the provisions of Article 120 of the Public Records Law. Citizen: SULEIDA NOGUERA... of age, Holder of Identity Card No. V-5,622,0001... is appointed to perform the photocopying and sign each of the pages together with the Notary (signed) ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO... Valencia. On the TWENTY-FIFTH (25th) day of the month of MAY... TWO THOUSAND. 1895th year of Independence, and 140th year of the Federation. THE NOTARY (Signed) (Illegible) 

ROSS RUEDA DE HOUTMANN  
THIRD NOTARY PUBLIC  
in and for Valencia  
(Stamp)  
Republic of Venezuela  
(Sign)  
Third Notary Public in and for Valencia  

THE APPOINTEE. -  
(Signed) (Illegible) Noguer
THE UNDERSIGNED NOTARY certifies that
she reviewed and returned Form 16, No. 1484773,
paid at Corporate Banking on May 26, 2000
issued by the MINISTRY OF FINANCE.
THE NOTARY
(Signed) (Illegible)
(Stamp)
ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

OFFICE OF THE THIRD NOTARY PUBLIC IN AND FOR VALENCIA
Handwritten text on the back of page seven:

"Four partial stamps on left - illegible"

"Back of Page Seven"

(Cancelled stamp in middle of page)

REPUBLIC OF VENEZUELA

FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR

(Seal)

LOS GUAYOS, NAGUANAGUA AND SAN DIEGO

IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO"
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABobo


189th year of Independence and 141st year of the Federation

This petition has been received. It is ordered that distribution be waived because the urgency of the matter has been stated under oath. It is ordered that it be admitted and a file opened therefor. It is ordered that all of the time needed be set aside, and that the Court be transferred and called into session at the location indicated in this petition so that the requested JUDICIAL INSPECTION may be conducted.

(Stamp)
REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO

PROVISIONAL JUDGE
(Signed – illegible)

DR. RAFAEL E. CASTILLO H.

CLERK,
(Signature – illegible)
ATTORNEY JOSÉ LUIS SANZ

Admitted on this same date under No. 3370 and complied with as ordered.

CLERK,
(Signed) (Illegible)

(Stamp)
REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO

(Back of Page Eight is blank with a diagonal line across it)
At eleven o'clock in the morning (11:00 a.m.) today, the seventeenth day of August, in the year two thousand, the Court, having first set aside all of the time needed, was transferred to and called into session at the National Guard's located in Malonogo in this city of Valencia, State of Carabobo in order to conduct the Judicial Inspection requested by attorney Francisco Jesús Velásquez Areay, Venezuelan Bar Association Number 54,892, legal counsel, as set forth in the power of attorney attached to this petition of Bridgestone Firestone Venezolana, C.A., formerly known as C.A. Firestone Venezolana. When the location was reached, citizen Alfredo Datera, a citizen of Venezuela, of age, holder of identity card No. 6,233,492 was subpoenaed for purposes of the Court's mission; he stated he was an officer at the Command Post at which the Court had been called into session, with the rank of Corporal Second Class. For better advice on this inspection, the Court agreed to appoint an expert photographer and an expert mechanic, and to this end, it appointed citizen Jeuhtet Jezar Hautmann Rueda, a citizen of Venezuela, holder of identity card No. 13,236,378, and David Goncalves Malpica, a citizen of Venezuela, of age, holder of ....
identity card No. 11,084,574, who, both being present, accepted the assignment, and stated under oath that they would properly and faithfully fulfill the duties inherent therein, who [the photographer] then took the photographs with a camera that she produced for examination by the Court. Make: automatic Polaroid 636 Close Up, which, once certified will be added to this inspection so as to form part thereof. The Court then went on to conduct the requested Judicial Inspection, and being duly advised by the expert who had been appointed, stated for the record as follows: Item ONE: It stated that it was called to session at the National Guard Command Post at Maracaibo in the city of Valencia, State of Carabobo, where there was a vehicle, Make: Ford, Model: Explorer, type: synchronic 4x2, color: navy blue plates: GAU 77E. Item TWO: The Court stated for the record that the vehicle was fitted with four (4) tires, one on each of its rims. Item THREE: The Court also stated for the record that the front right tire on the inspected vehicle was: Make: Goodyear Wrangler RT/S, type: LT235/75R15, serial number DOT-PBL2ACA 1700; the front left tire is: Make: Goodyear, Wrangler RT/S, type LT235/75R15, serial number not visible; the rear right tire is Make: Goodyear, Wrangler RT/S, type: LT235/75R15, serial number DOT PBL2ACA 1700; and the rear left tire, Make: Goodyear, Wrangler RT/S, type LT235/75R15, serial number DOT PBL2ACA 1700.- Item FOUR: The Court, being duly...
advised by the expert, also stated for the record that the front left tire had a gash in the side and
the rear left tire showed signs of being hit upon impact but it was still inflated; the front right tire
was in good condition as was the rear right tire. With regard to the tread on each of the tires
mounted on the rims of the vehicle, the Court noted that these treads were in good condition.
Item FIVE: The Court ordered photographs to be taken of each of the tires mounted on each of
the rims of the inspected vehicle, with the camera described above; the photographs were
ordered to be added to this inspection so as to form a part thereof. Item SIX: The Court ordered
photographs to be taken of the bodywork and condition of the inspected vehicle with the camera
described above; these photographs are being added to this inspection. Item SEVEN: The Court
stated for the record that the vehicle's bodywork had dents in the roof, hood, fender and rear
mudguards, frames of the windows, and also in the vehicle doors, windshield and the door
windows were shattered. At this point, the petitioner intervened and exercising the right to speak
he had reserved, ..........
the attorney asked that a statement be placed on the record as to the vehicle's mileage and the make and type of the tire that was inside the inspected vehicle. The Court agreed to his request and stated for the record, upon being duly advised the expert who had been appointed, that the mileage on the inspected vehicle was 40,014 kilometers. The Court also stated for the record, upon being duly advised by the expert, that inside the vehicle there was a tire, Make: Goodyear, Wrangler RT/S, type LT 235/75R15. That is all.- The Court concluded its mission at 12 p.m. midday and decided to return to the Courthouse. Completed, read and signed by the undersigned, being in agreement therewith, except for the subpoenaed party who had to discuss it.

Amendments: National Guard, Wrangler, not visible. All "OK".

THE PROVISIONAL JUDGE
(Signed) (Illegible)

DR. RAFAEL E. CASTILLO H.

(REPUBLIC OF VENEZUELA)
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(SoSo)
LOS GUAYOS, NAQUIANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

The subpoenaed Party,
Refused to sign

Expert Photographer,
(Signed) (Illegible)

Expert Mechanic,
(Signed) (Illegible)

Petitioner,
(signed) (Illegible)

ACTING CLERK,
(Signed) (Illegible)
(Stamp – illegible)
(Hand written) Fifteen (15)

(Partial stamp)

.... OF VENEZUELA
(Sed)
(/ illegible)

......NAGUANAGUA AND SAN DIEGO
......DISTRICT OF THE STATE OF CARABOBO

Since this petition has been complied with, it is returned to the petitioner with the results, consisting of fifteen (15) sheets of paper, on this eighteenth day of August, in the year two thousand.

CLERK,

(Signed) (illegible)

ATTORNEY JOSE LUIS SANZ

(Two illegible stamps in left margin)
Certificate of Accuracy

STATE OF FLORIDA  )
       ) SS
COUNTY OF MIAMI-DADE  )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3370, dated August 17, 2000, concerning an inspection of the Ford Explorer with plates numbered GAU-77E, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 7th day of February, 2001.

Maury Margaret Scharror
Notary Public
State of Florida

My commission expires: 8/24/04

[Seal]
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(S) FRANCISCO JESUS VELASQUEZ ARAY

MOTIVO: JURISDICCIÓN JUDICIAL

JUZGADO: CUARTO DE MUNICIPIO

FECHA DE ENTRADA: Día 17 Mes 06 Año 2000

FECHA DEVOLUCIÓN: Día Mes Año

C : 32
Cuidadoso

JUZGADO CUarto DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN
JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESÚS VELASQUEZ ARCAY, venezolano, mayor de edad,
dominado en Valencia, Estado Carabobo, titular de la cédula de identidad No.
7,212,654, abogado en ejercicio, inscrito en el INPREABOGADO bajo el No.
57,892, procediendo en este acto en mi carácter de apoderado según se evidencia
de instrumento poder que se anexa a esta solicitud de BRIDGESTONE
FIRESTONE VENEZOLANA, C.A., sociedad anónima antes denominada C.A.
FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó
el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la
Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre
de 1956, bajo el No. 1, compiladas sus reformas en un solo cuerpo según consta de
Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el
Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en
fecha 29 de enero de 1997, bajo el No. 2, Tomo 8-A, ante usted respectuosamente
ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de
Procedimiento Civil y 1,429 del Código Civil, juro la urgencia del caso, solicitó la
habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se
obvió el requisito de la distribución, con el fin de que el Tribunal se traslade y
constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia
por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra construido el
Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas,
que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados
en cada uno de sus rines.
TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicitó de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.
ROBERTO E. TERRAZAS, venezolano, mayor de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.197.285, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés de octubre de 1956, bajo el No. 1, por el presente documento faceto, que mi representada confiere poder amplio, bastante y suficiente cuanto en derecho se requiere y sea necesario, a los abogados en ejercicio, HUMBERTO J. BRICEÑO, HENRY TORREALBA, LEONELA, JOSÉ HENRIQUE D'APOLLO, RAMÓN J. ALVINS SANTI, MARÍA FERNANDA LAJIA, CLEMENITA DE CASTRO, JANINE HUES, CARLOS LUIS PIMENTEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARECAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.967.563, 3.641.825, 7.209.173, 6.845.624, 6.832.699, 16.315.670, 9.879.275, 7.135.825 y 7.121.628, respectivamente e inscritos en el INPREABOGADO bajo los NOS. 19.946, 11.568, 19.692, 26.304, 32.501, 54.562, 48.328, 55.660 y 54.692, también respectivamente; domiciliados los ocho primeros en la ciudad de Maracaibo, Estado Zulia y el séptimo en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y sostengan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estadual, distrital o municipal, en cualquier competencia, orden o jurisdicción, incluyendo pero
\[ n = \frac{28}{T}. \]
Asi instauramos derecho: solicitar, la decisión según la facultad de constituir asociados seguir, y los juicios en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiera lugar, tanto los ordinarios como los extraordinarios de cesación o invalidación, iniciar y desistir del juicio de amparo; promover y absolver posiciones juradas; promover quejas y querellas y desistir de ellas; y en general, hacer todo cuanto fuera necesario o conveniente para la mejor defensa de los derechos e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia que las facultades aquí conferidas son meramente enunciativas y no impartivas y que los apoderados aquí inscritos están facultados para sustituir el presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de mi representación, del carácter con que se asuma, de mis atribuciones y de los demás particulares relativos a los poderes, y de conformidad con lo previsto en el artículo 155 del Código de procedimiento civil, enunció y exhibió en este acto el Notario ante quien se otorga el presente poder, solicitándole se dé copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1955, del acta de registro de comercio No. 1, contenido del Documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.) SEGURO, copia certificada expedida por el Registro Mercantil primero de la Circunscripción Judicial del Estado...

[Signature]
REPÚBLICA DE VENEZUELA. ROSA RUEDA DE MOUTRANN. NOTARIO PÚBLICO TERCERO DEL MUNICIPIO AUTOÓNOMO VALENZIA DEL ESTADO CARABOBO, QUIEN SUBSCRIBE CERTIFICADO-

Que ha confrontado la Copia Fotostática constancia de: TAC (01)......folios

805

durante el año: 2019...... Dicho al N° 20...... Tomo: 11°...... que dicha Copia fue realizada por la Ciudadana SÁUEDO DE LA UGÜERA....mayor de edad, TÍ- TULAR DE LA CÉDULA DE IDENTIDAD Nº V-5.622.001...... persona capaz. Autoriza y de por sí para hacerla y quien juntamente conmigo suscriba la presente Certificado-

e den y cada una de sus páginas, que dicha Copia se expida a solicitud de parr

la interesada y Declaro de esta misma fecha, los cuales a continuación se les


M. BANCHEZ Y MACHIZ....mayor de edad, TITULAR DE LA CÉDULA DE IDENTIDAD --

805

y 26.04.15. Tomo 11°...... de los Libros de Autenticaciones llevados por esta

la Notaría en fecha 30-06-90...... En Valencia, a las VEINTICINCO (25)......

únicamente el mes del MAYO......del DÍAS MIL. El Solicitante (fdo.) INSCRITO,

REPUBLICA DE VENEZUELA. NOTARIA PÚBLICA TERCERO DE VALENCIA. VALENCIA. 05.06.15

26.04.15...... y a tal efecto de conformidad con la establecida en el AR-

tículo 11° de la Ley de Registro Público, Se designa al Ciudadano: SÁUEDO DE LA

UGÜERA......mayor de edad, TITULAR DE LA CÉDULA DE IDENTIDAD Nº V-5.622.001...... que realiza la operación de la copia y suscriba esta una-

de las páginas junto con la Notaría. (fdo.) ROSA RUEDA DE MOUTRANN. NOTARIO-

PÚBLICO TERCERO DEL MUNICIPIO AUTOÓNOMO VALENZIA DEL ESTADO CARABOBO. VALENCIA.

26.04.15. Días de las Veinte (25)...... Días del mes de MAYO...... del DÍAS MIL.-

488 AÑOS DE LA INDEPENDENCIA Y 140 AÑOS DE LA FEDERACIÓN.-.-.-.-.-.-.-.

LA NOTARIA.-

ROSJA RUEDA DE MOUTRANN

NOTARIO PÚBLICO TERCERO DE VALENCIA

La designada.-

[Signature]
La NOTARIO que suscribe hace constar que tuvo para su vista y devolución Plamia FORMA N° 1007443 cancelada en el Gallo de fecha el 15 de abril expuesta por el MINISTERIO DE HACIENDA.

[Signature]

[Seal]

[Seal]

[Seal]
JUZGADO CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR LOS GUAYOS, MANGA BLANCA Y SAN DIEGO DE LA CIRCUISDEPNCION JUDICIAL
DEL ESTADO CARABobo.-

Valencia, 17 de agosto del 2.000.-
1900, y 1410

Por recibida la presente solicitud, cumplido lo dispuesto por ser urgente la resolución del caso, doy
mediante esta, conocimiento de ello, y en el tiempo necesario y trasladado en el sitio
adjunto en el presente, solicitudes, a los fines de proceder a la inspección judicial establecida.

El SECRETARIO

En la misma fecha se cumplió con el No. 3375.-

El SECRETARIO
En horas del día de hoy, en el domicilio de la señora (nombre), en el lugar donde se encontraba el Señor Juez, se realizó una entrevista con el abogado (nombre) para tomar conocimiento de los hechos. Durante la entrevista, se le informó al Señor Juez que no existía ninguna prueba suficiente para imputar a la señora. A su vez, se procedió a la presentación de la queja de la señora (nombre) ante el Juez, quien decidió que no había suficientes pruebas para continuar con el proceso judicial.

El Juez ordenó que se realizaran nuevas pruebas para corroborar los hechos, incluyendo la realización de una nueva entrevista con el abogado. En esta nueva entrevista, se le informó al Juez que existían pruebas suficientes para imputar a la señora (nombre) y que el proceso judicial debería proseguirse.

A su vez, se procedió a la realización de una nueva entrevista con el abogado, en la que se logró obtener pruebas adicionales para imputar a la señora (nombre). En esta nueva entrevista, se le informó al Juez que existían pruebas suficientes para imputar a la señora y que el proceso judicial debería proseguirse.

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A su vez, se procedió a la realización de una nueva entrevista con el abogado, en la que se logró obtener pruebas adicionales para imputar a la señora (nombre). En esta nueva entrevista, se le informó al Juez que existían pruebas suficientes para imputar a la señora y que el proceso judicial debería proseguirse.

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A su vez, se procedió a la realización de una nueva entrevista con el abogado, en la que se logró obtener pruebas adicionales para imputar a la señora (nombre). En esta nueva entrevist...
Zadad no 11-039, 574, quienes estuvieron presentes: acceptaron el cargo y juraron cumplir con el pacto.

Señales y las señales serán agregadas a la presente inspección. Preguntas, para que permanezca parte de la muestra. Acto seguido el Tribunal decidió no proceder a realizar la inspección. Se dejó constancia de lo siguiente:

El Tribunal dejó constancia de que el vehículo posee cuatro (4) neumáticos correctamente instalados en cada uno de los rincones.

El Tribunal dejó constancia igualmente que el vehículo no tiene, de acuerdo con el vendedor, lo siguiente:

- Wrangler, RT/S, tipo LT235/75R15, modelo 2001;
- Wrangler, RT/S, tipo LT235/75R15, modelo 2001;
- Wrangler, RT/S, tipo LT235/75R15, modelo 2001;
- Wrangler, RT/S, tipo LT235/75R15, modelo 2001;

El Tribunal dejó constancia que el vehículo no posee cuatro (4) neumáticos correctamente instalados en cada uno de los rincones.
El tribunal decide que el periódico diario constante regularmente que el camino de acceso y el camino de salida presentarán una verja en su parte frontal y al travesero, dejando spaldan con golpe pequeño y ligero, pero es largo.Ｊｐｚ, el camino delantero derecho de encuentro con el travesero, con el camino frontal derecho. En el camino de rotación de cada uno de los caminos se encontrará en el camino del vehículo el tribunal observó que algunos elementos de rotación de encuentro con el travesero. Quinto: El tribunal ordena la toma de fotografía a cada uno de los caminos, estandarizada en cada uno de los caminos del vehículo inesperado, con la corriente del camino, con el camino delantero derecho, con el camino frontal derecho, con el camino de rotación de cada uno de los caminos se encontrará en el camino del vehículo el tribunal observó que algunos elementos de rotación de encuentro con el travesero. Sexto: El tribunal ordena la toma de fotografías de la corriente y conste inmediatamente en que se encontró el vehículo inesperado con la corriente en continuo, conteniendo elementos y cargos fotográficos de la zona en la presentación inesperada. Séptimo: El tribunal decide constatación que el corriente del vehículo inesperado se hallaba en el camino. Capítulo: Los elementos de rotación y caminos de los vehículos, que son en las presentaciones del vehículo, que se hallan y los elementos de los que se presentan inesperados. En este último intervalo se el selectante y tratando una del periódico.
El teniente de la Policía Municipal,

Se regla su vigilancia.

El estacionamiento.

El estacionamiento.

El estacionamiento.

El estacionamiento.
REPÚBLICA DE VENEZUELA. NOTARÍA PÚBLICA TERCERA DE VALENCIA. VALENCIA.

1344 y 1345. El anterior documento suscrito por el abogado procurador
CO VELASQUEZ ARCAV, inscrito en el inpreabogado bajo el Nº 54992, fue
presentado para su autenticación y devolución, según planilla Nº 243
271, de fecha 30-1-96. Presente su otorgante dijo llamarse: ROSENDO
S. TERRADAS actuando en carácter de Presidente de BRIDGESTONE FIRE-
STONE VENEZOLANA, C.A., mayor de edad, domiciliado en: VALÈNCIA
de nacionalidad: VENEZOLANA, de estado civil: CASADO
y titular de la cédula de identidad Nº 6.297.365. Leído el documento
en presencia de la notaría expuesto. "Su contenido es cierto y mi fe-
firmo que aparece al pie del instrumento". La Notario en tal virtud
lo declaro autenticado en presencia de los testigos: MARÍA JIMÉNEZ
Y ESTHER DE CEGARR, titulares de las cédulas de identidad Nos:10.737.
912 y 395.502, dejándoles inserto bajo el Nº 28, Tomo: 11 de
los libros de autenticaciones llevados en esta notaría. La Notario-
hace constar que tuvo para su vista y devolución el Registro de Comercio
de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., inscrita originalmente por
ante el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil
de la Quinta Circunscripción Judicial del Edo. Carabobo, en fecha: 23
de Octubre de 1956, bajo el Nº 11. Igualmente para el otorgamiento del
presente documento la Notaría se Transladó y Constituyó en la Empresa-
BRIDGESTONE FIRESTONE VENEZOLANA, C.A., de esta ciudad a las: 11/1504

LA NOTARIO

[Nombre]
NOTARIO PÚBLICO TERCERO
EN VALENCIA

EL OTORGANTE

[Nombre]

LOS TESTIGOS:——
La notario que suscribe hace constar que el poder que antecede fue expedido por el ciudadano Ramón J. Alvarado Sandoval reservándose en las personas de los ciudadanos Diego Bautista Baez, Soraya Tontelca, Mario Cabreza, Óscar Enrique G. Pérez y Gabriela Muñoz Márquez, firmado se presentó jurado ante la Notaria 82, ahora 412, del Municipio Estevez del Distrito Miranda bajo el n° 146, tomo 96 folio 1142, 962.
Señorita como en ello la presente solicitud se revuelve con sus
resultas al solicitante, comience su pregunta (Y).

S. v.
REPÚBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
ARCHIVO

No. 2347-2000
Paea No.

DEMANDANTE (S) FRANCISCO JESÚS VELASQUEZ ARCAY

DEMANDADO (S)

MOTIVO INSECCIÓN JUDICIAL

TRIBUNAL DEL JUZGADO DEL MUNICIPIO SANTIAGO TRÍO DEL ESTADO ARAGUA

Fecha de entrada: Día 24 Mes AGOSTO Año 2000

REMITIDO

Día Mes Año

REMITIDO

Día Mes Año

TERMINADO EN FECHA
Ciudadano

JUEZ DEL MUNICIPIO MARÍN DE LA CIRCUNSCRIPCIÓN JUDICIAL
DEL ESTADO ARAGUÁ

Su Despacho.

Yo, FRANCISCO JESÚS VELASQUEZ ARCAÍ, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad No 7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el No 54.892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE.

FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A.

FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el No 1, compiladas sus reformas en un solo cuerpo según consta del Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiocho de enero de 1997, bajo el No 8, Tomo 8-A, ante usted respetuosamente

ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cada caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en
CUarto: De las condiciones generales de los cauchos instalados en cada uno de
los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno
de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se
encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la
carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su
debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento
Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la
reproducción fotográfica de los hechos anteriormente especificados y de cualquier
otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha
inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un
práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las
referidas fotografías fueron realizadas en su presencia, y que son reproducciones
fieles y exactas de los hechos evidenciados en la presente inspección judicial, para
lo cual solicito expresamente que dichas fotografías sean agregadas a esta
inspección judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en
original junto con sus resultados. Es gracia que espero en Turmero, Estado Aragua,
en la fecha de su presentación.
Yo, ROSENO S. TERRADAS, venezolano, mayor de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.265, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de primera instancia en lo Civil y Mercantil de la séptima circunscripción Judicial del Estado Carabobo en fecha veintitrés de octubre de 1956, bajo el No. 1, por el presente documento declaro que mi representada confiero poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio HUMBERTO J. BRICEÑO, HENRY TORREALBA LEIDENA, JOSÉ HENRIQUE D'APOLLO, RAMÓN J. ALVÍS SANTI, MARÍA FERNANDA SÁJAJA, CLEMENTINA DE CASTRO, MARGOT HUÉN, CARLOS LUIS PIMENTEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAI, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.967.563, 3.661.023, 7.308.173, 6.845.624, 6.822.699, 10.325.670, 9.879.375, 7.129.625 y 7.121.650, respectivamente e inscritos en el INPREABOGADO bajo los Nos. 2.355.156, 11.568, 19.692, 26.304, 32.501, 54.502, 48.338, 55.660 y 67.892, también respectivamente, domiciliados los ocho primeros en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y sostengan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en todas clases de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo pero
Arbitros de derecho, solicitan la designación según la equidad, constituir asociados, seguir el o los juicios en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiere lugar, tanto los ordinares como los extraordinarios de casación o invalidación, iniciar y desistir del juicio de amparo, promover y absolver posiciones juradas, promover quejas y querellas y desistir de ellas, y en general, hacer todo cuanto fuere necesario o conveniente para la mejor defensa de los derechos e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia que las facultades aquí conferidas son meramente enunciativas y no declarativas y que los apoderados aquí instituidos están facultados para sustituir el presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de mi representada, del carácter con que acto, de mis atribuciones y de los demás particulares relativos a sus poderes, y de conformidad con lo previsto en el artículo 155 del Código de Procedimiento Civil, enunció y exhibo en este acto el notариado ante quien se otorga el presente poder, solicitándole que sirva hacer constar en la nota respectiva, los siguientes documentos:

PRIMERO: Copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1956, del asiento Registro de Comercio No. 1, contentivo del Documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.)

SEGUNDO: Copia certificada expedida por el Registro Mercantil Primero de la Circunscripción Judicial del Estado
REPÚBLICA DE VENEZUELA. SEPULCRALES Y REALZOS DE VALENCIA. VALENCIA (V) y TINTA (30) de mil novecientos noventa y seis.

1959 y 1960. El anterior documento redactado por el abogado: FRANCISCO VELASQUEZ ARCAZ, inscrito en el impreso, agado bajo el N° 35499, fue presentado para su autenticación y devolución, según planilla N° 243 de fecha: 30 de setiembre. Presente su otorgante dijo llamarse: ROSA MARIANO S. TERRADAS actuando en carácter de Presidente de BRIDGESTONE FIRESTONE V NEZOLANA, C.A., mayor de edad, domiciliado en: 

Valencia de nacionalidad: VENEZUELANO, de estado civil: CASADO, y titular de la cédula de identidad N° 6.297.365. Leído el documento en presencia de la notario expuso: "Su contenido es cierto y mis láminas que aparece el pie del instrumento". La Notario y tal virtud declara autenticado en presencia de los testigos: MARIELA JIMÉNEZ Y ESTHER DE CEBALLOS, titulares de las cédulas de identidad Nos: 10.173.912 y 395.502, dejándolo inserto bajo el N° 28, Tomo: 1, de los libros de autenticaciones llevados en esta notaría. La Notario hace constar que tuvo para su vista y devolución Registro de Comercio de BRIDGESTONE FIRESTONE V NEZOLANA, C.A., inscrito originalmente por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Segunda Circunscripción Judicial del Edo. Carabobo, en fecha 23 de Octubre de 1950, bajo el N° 1. Igualmente para el otorgamiento del presente documento la Notaría se Transladó y Constituyó en la Empresa BRIDGESTONE FIRESTONE V NEZOLANA, C.A., de esta ciudad a las:

LA NOTARIO

[Signature]

EL OTORGANTE

[Signature]

LOS TESTIGOS.

[Signatures]
sin embargo, ante el Juzgado de Primera Instancia de Distrito o de Municipio, Corte Suprema de Justicia, Corte Primera en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Tributario, Tribunales en lo Contencioso Administrativo, Tribunales Penales, Tribunales del Trabajo y en fin, por ante todos los organismos, tribunales, despachos, autoridades y/o funcionarios de carácter público privado. En el ejercicio del presente poder los presentes apoderados están facultados para interponer y/o contestar toda demanda, reclamo, procedimiento, incidencia, recocimiento, alegar, oponer y/o contestar defensa y cuestión previas; hacer citas de amparo y/o de garantía; convenir, asistir, tramitar, renunciar a acciones o derechos y dejar de ejercerlos si así fuere conveniente; solicitar acumulación de autos o de acciones; diferir actos; suspender, ejercer, reclamar y renunciar laudos y recursos; recusar; demandar la nulidad y la reposición cuando fuere necesario o conveniente; apelar; ocurre de hecho, promover cualquier medio de prueba y oponerse a la admisión de los mismos e intervenir en todos los trámites e incidencias, así su evacuación; solicitar y tramitar cualquier medida preventiva o ejecutiva cuando así fuere necesario o conveniente o oponerse a que se hagan, o se hagan, u intervenir en cualquier otra incidencia que pudiere presentarse; iniciar tercerías; tachar y/o desconocer toda clase de documentos; tachar testimonios; hacer cesión de bienes; pedir rendición de cuentas; proponer acciones petitorias o concesorias de la misma que fueren darse por citado o notificado; recibir y entregar cantidades de dinero que legítimamente se adeuten; otorgándolo y exigiendo los correspondientes recibos y finiquitos, disponer de los derechos en litigio; solicitar e intervenir procedimientos de remate, a tales fines hacer posturas y actuar en actos de remate; otorgar cualquier fianza y cancelar requeridas por alguna Corte o Tribunal; oponerse a cualquier clase de fianzas y/o ejecuciones; comprometer en arbitros arbitradores y/o...
...
REPUBLICA DE VENEZUELA. ROSA RUEDA DE HOUTMANN. NOTARIO PUBLICO TERCERO DEL
MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARAIBO, QUIEN SUSCRIBE CERTIFICAR--

Que ha confrontado la Copia Fotostática constante del TAS (03)...... Folios
Digitas, que es traslado fiel y exacto del Documento inserte en esta Notaría,
Durante el Año: 1.996...... bajo el Nº 28...... Tomo: 118......, que diche C
gi fue realizada por la Ciudadana SULEIDA NOGUERA...... mayor de edad, Tí-

er de la Cédula de Identidad Nº V-5.622.001......, persona capaz, Autoriza
da por mí para hacerle y quien junta consigna suscribe la presente Certifica-

ción y cada una de sus páginas. Que dicha Copia se expide a solicitud de par-
to interesado y Decreto de esta misma fecha, los cuales a continuación se in-

tan: Ciudadana: Notaria Publico Tercero de Valencia. Su Despacho.- Te.,

HADRIANA ROSELL.-......mayor de edad, Titular de la Cédula de Identidad 
Nº V-19.606.141.-Solicito Copia Fotostática Certificada del Documento Nº 
28....... Tomo: 118...... de los Libros de Autenticaciones llevadas por a-

la Notaría en fecha 30-01-96......, en Valencia, a las: DICIEMBRE (18)...

Esta del mes de: MAYO.-........del DOS MIL. El Solicitante: (fdo.) Legible.

REPUBLICA DE VENEZUELA. NOTARIA PUBLICA TERCERO DE VALENCIA. VALENZA. 19-
95-2.280......y al efecto de conformidad con lo establecido en el Ar-

Exceso 125% de la Ley de Registro Público. Se designa a la Ciudadana SULEI-

NOGUERA......mayor de edad, Titular de la Cédula de Identidad Nº V-
5.622.001...... para que realice la operación de la Copia y suscribe cada una 
de las páginas junta con la Notaría. (fdo.) ROSA RUEDA DE HOUTMANN. NOTARIO-

PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARAIBO. VALEN-

CIA, a las: DICIEMBRE (18).................. del mes de: MAYO.-........del DOS MIL.-

1895 Aniversario de la Independencia y 140º Aniversario de la Federación.........

La Designada.-

(P. de Notario)
DADO DEL MUNICIPIO SANTIAGO MARINO DEL ESTADO ARAGUA.

TERCERO, VEINTICUATRO (24) DE AGOSTO DEL AÑO 2.000.

AÑOS 1890 Y 1420.

Por recibida la presente solicitud presentada por el (la) ciudadano (a): FRANCISCO JESÚS VELASQUEZ ARAY, quien es venezolano, mayor de edad, titular de la D.C. Cédula de Identidad Nro.V-7.121.658, Abogado en ejercicio, inscrito en el Instituto Bogotá bajo el Nro.54.092, actuando en su carácter de Abogado Judicial de la Compañía BRIDGESTONE FIRESTONE VENIZOLANA S.A., conocida Anteriormente denominada S.A. FIRESTONE VENIZOLANA. Deseo entrada y anotarse en el libro correspondiente, en consecuencia, se acuerda realizar el traslado y constitución del Tribunal al sitio que indique la parte ante, a los fines de practicar inspección judicial a que se contrae la presente solicitud, para lo cual se fijan las 15:30, horas de la tarde del día 24-08-2000, habilitándose el tiempo necesario para ello.

La Juez Presidenta.

El Secretario.

En este lugar y fecha se hizo como fue ordenado en el auto anterior.

El Estimado,
En el día de hoy, Veinticuatro de Agosto del Año Dos Mil, siendo las 12:15 horas de la tarde, previa la habilitación del tiempo y lugar en el cual se Guardó el Acta y el Acta de la casa civil, se trasladó el Tribunal en compañía del ciudadano FRANCISCO JESUS VELASQUEZ ARCAY, Titular de la Cédula de Identidad No.7.121.558, abogado en ejercicio e inscrito en el Impresbogado bajo el No.54.892, Apoderado Judicial de BRIDGESTONE-PIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. PIRESTONE VENEZOLANA, a la siguiente dirección: Dirección Nacional Turnero La Encrucijada, Frente al Cementerio Estacionalmente Central 2000, a los fines de practicar Inspección Judicial a que se contrae la presente solicitud, presente el ciudadano JORGE PACHECO DE LA RIVA JORGE, a quien el Tribunal le impuso la misión del Tribunal y permitió el libre acceso al interior del Estacionamiento Central 2.000. En este estado el Tribunal designó como practico Mecánico al ciudadano GONZALEZ MALVIDA DAVID, Titular de la Cédula de Identidad No.21.069.574, y como Practico Fotógrafo al ciudadano OLIVIA PARADES EDIS ARMANDO, Titular de la Cédula de Identidad No.10.736.138, quienes estando presentes juraron cumplir y fielmente con los deberes inherentes a los cargos a los cuales fueron designados. En este estado el Tribunal desea dejar constancia de los particulares contenidos en la presente solicitud de la siguiente manera: AL PRIMERO: El Tribunal deja constancia que el lugar donde se encuentra constituido se encuentra un vehículo: MARCA: FORD, Modelo EXPLORER, Color: Vino Tinto, Tipo: XIX ELITE Placas: GAT-379, AL SEGUNDO: El Tribunal deja constancia que efectivamente el vehículo inspeccionado, tiene cuatro cauchos instalados uno en cada rueda. AL TERCERO: El Tribunal deja constancia que la marca de los cauchos instalados en cada uno de los rines del vehículo inspeccionado es de los denominados Goodyear, el tipo Wrangler SUV, color gris, delantero izquierdo no visible, trasero-izquierdo DOTMIOCUMS/6660, delantero derecho no visible, trasero-derecho DOTMIOCUMS/7600, el caucho de respuesto delantero no visible. AL CUARTO: El Tribunal deja constancia que los dos cauchos delanteros se observan en buen estado y desinflados, los dos traseros-
se encuentran igualmente en buen estado e inflados, e igualmente las bandas de rodamiento de los cuatro acebhos se encuentran en buen estado. AL QUINTO: El Tribunal deja constancia que ordenó el experto fotográfico se tomaran fotografías de los acebhos instalados en cada uno de los rinces del vehículo inspeccionado, lo cual se realizó con una cámara POLAROID, 606, CLOSEUP, de fotos instantáneas, las cuales se ordenen agregar a la presente solicitud. AL SEXTO: El Tribunal deja constancia que ordenó el experto fotográfico se tomaran fotografías de la carrocería y de las condiciones en que se encuentra el vehículo inspeccionado, lo cual se realizó con misma cámara antes identificada, por lo que el Tribunal acuerda agregar a la presente solicitud dichas fotografías. AL SEPTIMO: El Tribunal deja constancia con ayuda del practico designado que el vehículo inspeccionado presente aboyaduras y descuerdas en el total de su estructura física, especialmente en la parte superior (techo) así como en el capot y en la parte frontal del vehículo. En este estado el solicitante haciendo uso del particular reservado expone: "Solicito el Tribunal deje constancia del kilometraje que presenta el vehículo inspeccionado así como de la marca, tipo y serial de su cauco de respuestu que presenta el mencionado vehículo e igualmente se tome fotografías del mencionado cauco de respuesto, es todo". El Tribunal deja constancia con ayuda del practico designado que el kilometraje presentado por el vehículo inspeccionado es 96,935, y que el cauco de respuesto es Michelin GOODYEAR, tipo: WRANGLER 775, P255/70R 15, serial no visible, así mismo se deja constancia que se ordenó el experto fotográfico se tomaren las fotografías del cauco de respuesto y se ordenagregar a la solicitud. Por cuanto no existe ninguna otra diligencia que practicar, el Tribunal acuerda regresar a sesion ordinaria, es- Todo. Terminó se leyó y conforme firmó:

[Seña como firmado]
Evacuado como ha sido la solicitud por este Tribunal, se acuerda en consecuencia devolver original con sus resultados a la parte solicitante.

LA JUEZ PROVINCIAL

EL SECRETARIO,

En este mismo fecha se hizo como fué ordenado en el auto anterior.

El Ministro.
STATE OF ARAGUA

Fee for Fiscal Stamp – Value: One hundred and ninety-two Bolivars (192.00)

AR-99 No. 1816393

Citizen

JUDGE IN AND FOR THE MUNICIPALITY OF THE MARIÑO IN THE JUDICIAL
DISTRICT OF THE STATE OF ARAGUA

I, FRANCISCO JESÚS VELASQUEZ ARCAÍ, a citizen of Venezuela, of age, domiciled in Valencia,
State of Carabobo, holder of identity card No. 7,121,658, a practicing attorney, registered with the
Venezuelan Bar Association ("INPREABOGADO") under No. 54,892, appearing herein in my capacity as
legal counsel, as evidenced by the power of attorney attached to this petition, for BRIDGESTONE
FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE
VENEZOLANA, which was registered with the Companies Register that was maintained by the Second
Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of
Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being
assembled in one body of documentation as set forth in the Minutes of the Extraordinary General
Shareholders’ Meeting recorded in the First Companies Register in and for the Judicial District of the
State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you
and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429
of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set
aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and
constituted at the address of which I will advise it in due course, in order to have the following items
placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford,
Model: Explorer, and the Type, Color and Plates of the inspected vehicle.

TWO: As to whether the vehicle identified above has each tire fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected
vehicle.
FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread. 

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. 

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle. 

SEVEN: That a statement be made on the record as to the general condition of the vehicle’s bodywork. 

As to any other fact or circumstance that I reserve the right to indicate in due course. 

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer be appointed, together with an expert mechanic. 

Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. 

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, in Turinero, in the State of Arizona, on the date of the filing hereof. 

(Signed) (Illegible)
I, ROSENDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad, adequate and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D’APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAY, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,159,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("INPREABOGADO") under Numbers 13,946; 11,568; 19,692; 26,304; 32,501; 54,502; 48,338; 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ......
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantees named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle, waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accounting, move for petitionary or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal; object to any kind of bond and/or guarantee, settle at arbitration, with arbitrators and/or ..................
at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propound and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limitative and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
(Hand written) No. 61

(Two stamps with illegible initials)

REPUBLIC OF VENEZUELA

(Coat of Arms)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Four partial stamps in right margin)

REPUBLIC OF......

(Coat of Arms)

THIRD NOTARY PUBLIC....

Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

(Three stamps)

REPUBLIC OF VENEZUELA

(Seal)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Stamp)

REPUBLIC OF VENEZUELA

Ministry of Finance

Name of Applicant

Identification Number Date

For Legal Basis

H-01 1310203

1000 - ONE THOUSAND BOLIVARS
REPUBLIC OF VENEZUELA

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Initials and signature superimposed – illegible)

REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAY, who is registered with the Venezuelan Bar Association under number 54982, was submitted for authentication and return, as per form No. 242731, dated January 30, 1996. The grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,297,265. He read the document in the presence of the notary and stated: “The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s office under No. 26, Volume II. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Commercial Register, which was originally registered with the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this city at 10:15 a.m. for the execution of this document.

THE NOTARY:

(Stamp)

ROSA RUEDA DE HOUTMANN

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

THE WITNESSES-

(Three stamps across middle of page)

Republic of Venezuela

(Seal)

Third Notary Public in and for Valencia
The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón J. Alvín Santi, and the exercise thereof was restricted to citizens Diego Bustillos Beiner, Henry Torrealba, Mario Calosso, José Enrique D'Apollo and Gabriela Núñez Márquez, by means of an instrument signed before the 8th Notary's Office, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, on December 11, 1996.

The Notary,

(Stamp)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC

(Handwritten) 62

(Two stamps with illegible initials and signature)
REPUBLIC OF VENEZUELA
(Coat of Arms)
Third Notary Public in and for Valencia

(Four Partial stamps in right margin)
REPUBLIC OF
(Coat of Arms)
THIRD NOTARY PUBLIC

(Fiscal Stamp)
REPUBLIC OF VENEZUELA
Ministry of Finance
Name of Applicant
Identification Number Date
For Legal Basis
H-98 3398130
1000 - ONE THOUSAND BOLIVARS

(Fiscal Stamp)
REPUBLIC OF VENEZUELA
Ministry of Finance
Name of Applicant
Identification Number Date
For Legal Basis
H-98 3398130
1000 - ONE THOUSAND BOLIVARS
REPUBLIC OF VENEZUELA. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABobo, CERTIFIES: That she has compared the photocopy consisting of THREE (03) sheets of paper, and that it is a true and correct copy of the document that was inserted at this Notary's Office in 1996 under No. 28, Volume 11, that said copy was made by citizen SULEIDA NOGUERA, of age, Holder of Identity Card No. V-5,622,001, a capable person who is Authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of this same date, which are inserted below: Citizen Third Notary Public in and for Valencia. In her office.


THE NOTARY
(Signed) (Illegible)

(Stamp)

第三_notary de houtmann
third_notary_public
in_and_for_valencia

(Stamp)

Republic of Venezuela
(Coat of Arms)

Third Notary Public in and for Valencia

THE APPOINTEE.-
(Signed) (Illegible)
COURT IN AND FOR THE MUNICIPALITY OF SANTIAGO MARÍN in the State of Aragua. Turmero, the twenty-fourth (24th) day of August in the year 2000.

189th year of independence and 142nd year of the federation

Having received this petition filed by citizen FRANCISCO JESUS VELASQUEZ ARCAZ, who is a citizen of Venezuela, of age, holder of Identity Card No. V-7,121,658, a practicing Attorney, registered with the Venezuelan Bar Association under No. 54,892, appearing herein in his capacity as Legal Counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A. a corporation formally known as C.A. FIRESTONE VENEZOLANA, it is ordered that it be admitted and recorded in the appropriate book, consequently, it is agreed to transfer and call the Court to session anywhere the petitioner indicates in order to hold the Judicial Inspection requested in this petition, and 12:30 in the afternoon of August 24, 2000 is scheduled therefor, having first set aside the necessary time.

Provisional Judge,
(Signed) (Illegible)

(Stamp)
Republic of Venezuela
In the Judicial District
Of the State of Aragua
(Seal)
Court in and for the Municipality of Santiago Marino

Clerk,
(Signed) (Illegible)

Complied with as ordered above on this same day.

Clerk,
(Initials - illegible)
At 12:50 in the afternoon today, the twenty-fourth day of August, in the year two thousand, the necessary time having been set aside, the Court was transferred and called into session, accompanied by citizen FRANCISCO JESUS VELASQUEZ ARCAY, Holder of Identity Card No. 7,121,658, a practicing attorney registered with the Venezuelan Bar Association under No. 54,892, Legal Counsel for BRIDGESTONE-FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, at the following address: Central 200 Parking Lot, opposite the Cemetery, on the Turmero-La Engracia National Highway, in order to hold the Judicial Inspection requested in this Petition. Citizen JONATHAN ALBERTO NIÑO FAGUNDEZ was present and the Court subpoenaed him for the Court's mission and he allowed free access inside the Central 200 Parking Lot. The Court then appointed citizen DAVID GONCALVES MALPICA, Holder of Identity Card No. 11,899,574 as the Expert Mechanic and citizen LUIS ARMANDO OLIVO PARPACEN, Holder of Identity Card No. 10,736,138 as the Expert Photographer; they were present and stated under oath that they would fulfill the duties inherent in the assignments for which they had been appointed. The Court then made a statement on the record concerning the items set forth in this petition, as follows: **ITEM No. ONE:** The Court stated for the record that at the location at which it had been called into session, there was a vehicle, Make: FORD, Model: EXPLORER, Color: White, Type: XLT ELITE, Plates: GAT-37G. **ITEM No. TWO:** The Court stated for the record that in fact, the inspected vehicle had four tires mounted one on each rim. **ITEM No. THREE:** The Court stated for the record that the Make of the tires mounted one on each of the inspected vehicle's rims was GOODYEAR, type: Wrangler RT/S, P255/70R16, and the serial number on the front left tire was not visible; the serial number of the rear left tire was DOT:MK1CONCHR:7600, the serial number on the front right tire was not visible, the serial number on the rear right tire was DOT:MK1CONCHR:2700 and the serial number on the spare tire was not visible. **ITEM No. FOUR:** The Court stated for the record that the two front tires were noted to be in good condition and flat, the two rear.......
tires were also in good condition and were inflated, and also the tread on all four tires was in good
c condition. ITEM No. FIVE: The Court stated for the record that it ordered the expert photographer to
take photographs of the tires mounted on each of the inspected vehicle's rims, and these were taken with
an instant photograph POLAROID 636 CLOSE UP camera; the photographs were ordered to be added to
this petition. ITEM No. SIX: The Court stated for the record that it ordered the expert photographer to
take photographs of the bodywork and condition of the inspected vehicle, and this was done with the
camera identified above, so the Court agreed to add these photographs to this petition. ITEM No.
SEVEN: The Court, with the assistance of the expert who had been appointed, stated for the record that
the inspected vehicle had dents and misalignments all over its physical structure, especially on the top
(roof), and also on the hood and the front part of the vehicle. At this point, the petitioner exercising the
right to speak he had reserved, stated: "I ask the Court to state the mileage on the inspected vehicle for
the record, and also the make, type and serial number of the spare tire the said vehicle has, and also that a
photograph be taken of this spare tire, that is all". The Court, with the assistance of the expert who had
been appointed, stated for the record that the mileage showing on the vehicle was 90,935 kilometers, and
that the spare tire was: Make: GOODYEAR, type: WRANGLER RTS, P255/70R16, the serial number
was not visible, and it was also stated for the record that the expert photographer was ordered to take
photographs of the spare tire and it was ordered that these be added to the petition. Now, therefore, there
being no further business, the Court agreed to return to its usual seat. That is all. Completed, read and
signed by the undersigned, who were in agreement therewith.

Provisional Judge
(Signed) (Illegible)
(Stamp)
Republic of Venezuela
In the Judicial District
Of the State of Aragua
(Seal)
Court in and for the Municipality of Santiago Marito
(Signed) (Illegible)
Petitioner
(Signed) David Goncalves
Expert Mechanic

The Subpoenaed Party
(Signed) Jonathan Mitto

The Clerk
(Signed) (Illegible)
COURT IN AND FOR THE MUNICIPALITY OF SANTIAGO MARÍÑO IN THE STATE OF ARAGUA.
TURMERO, THE TWENTY-FOURTH (24TH) DAY OF AUGUST IN THE YEAR TWO THOUSAND

This petition having been complied with by this Court, it is therefore agreed to return the original with the results thereof to the petitioner:

PROVISIONAL JUDGE,
(Signed) (Illegible)
ATTORNEY GUADALUPE GIRON (ILLEGIBLE)
(Stamp)
Republic of Venezuela
In the Judicial District
Of the State of Aragua
(Seal)
Court in and for the Municipality of Santiago Maríño

THE CLERK,
(Signed) (Illegible)
ATTORNEY SERGIO A. ESPINOZA

Complied with as ordered above on this same day.

The Clerk,
(Initials - illegible)
Certificate of Accuracy

STATE OF FLORIDA  )
) SS
COUNTY OF MIAMI-DADE  )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 2347-2000, dated August 24, 2000, concerning an inspection of the Ford Explorer with plates numbered GAT-37G, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

My commission expires: 1/19/03
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESÚS VELASQUEZ ARCA

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITY OF JOSÉ FÉLIX RIBAS AND JOSÉ RAFAEL REVENGAA

DATE OF ENTRY: Day 31 Month August Year 2000

DATE RETURNED: Day _____ Month __________ Year ________

No. 1491
STATE OF ARAGUA

Fee for Fiscal Stamp - Value: One hundred and ninety-two Bolivars (192.00)

Ar-99 No. 1816392

Citizen:

JUDGE IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIVAS AND JOSE RAFAEL
REVENGA IN THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA

In his office,

1. FRANCISCO JESÚS VELASQUEZ ARCAJ, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,121,658, a practicing attorney, registered with the Venezuelan Bar Association ("INPRESAROGADO") under No. 54,892, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition, for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and constituted at the address of which I will advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford, Model: Explorer, and the Type Color and Plates of the inspected vehicle. ———

TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims. ———

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. ———

(Hand written) One (1)
(Back of Page One)

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstance that I reserve the right to indicate in due course.

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer be appointed, together with an expert mechanic. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed – illegible)

(Stamp– illegible)

(hand written) Submitted today, August 31, 2000

(Signed – illegible)
I, ROSENDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad, adequate and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTIL, MARIA FERNANDA ZAIA, CLEMINTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAY, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,139,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("IMPREBAGO") under Numbers 13,946; 11,568; 19,692; 26,304; 32,591; 54,502; 48,338; 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ...
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Controversial-Administrative Matters, Higher Courts for Controversial-Administrative Matters, Higher Courts for Controversial-Tax Matters, Courts for Controversial-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The granting named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle, waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise, commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accounting, move for petitionary or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal; object to any kind of [this text is missing: bond and/or guarantee, settle at arbitration, with arbitrators and/or]
at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propose and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limitative and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with or without any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ...
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

REPUBLIC OF VENEZUELA
(Seal)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Stamp)
REPUBLIC OF ....
Ministry of Finance
Name of Applicant ___
Identification Number ___
For _____ Legal Basis ___
[tex cut off]
REPUBLIC OF VENEZUELA.
THIRD NOTARY PUBLIC IN AND FOR VALENCIA.
(Initials and signature superimposed — illegible)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA.
Valencia, on the thirteenth (13th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAK, who is registered with the Venezuelan Bar Association under number 54892, was submitted for authentication and return, as per form No. 243271, dated January 30, 1996. The grantor thereof was present and stated that his name was: ROSENO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of legal age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,207,265. He read the document in the presence of the notary and stated: “The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be authenticated in the presence of witnesses: MARIELE JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s office under No. 26, Volume LI. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Companies Register, which was originally registered with the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this city at 10:15 a.m. for the execution of this document.

THE NOTARY:
(Signed) (Illegible)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

THE WITNESSES:
(Three stamps)

(REPUBLIC OF VENEZUELA)
(Coat of Arms)

Third Notary Public in and for Valencia
BOLIVARIAN REPUBLIC OF VENEZUELA - MINISTRY OF THE INTERIOR AND JUSTICE - THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, CHIEF THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That this photocopy is a true and correct copy of the original document that was submitted to this Notary’s Office for authentication and return, and was inserted under No. 28, Volume 11, dated January 30, 1996, and that was compared by me as the authorized employee and concemns the petition prepared on August 24, 2000, by Citeres: MARJORIE ROSSELL, ---, age, holder of Identity Card No. V-12,666,141, ---, according to Receipt Form Number: 334387, ---, dated: August 24, 2000. This Certification is issued with the assistance of employee: SUELEDA NOGUERA, ---, age, holder of Identity Card Number: V-5,622,001, ---, who works for this Notary’s Office, who is duly authorized by the Notary to do so and who is signing each and every page hereof, all pursuant to the provisions of Article 120 of the PUBLIC RECORDS Law and in agreement with ARTICLE 10 and ARTICLE 20 of the Rules for NOTARY PUBLIC OFFICES. Said Certification consists of: THREE (3) sheets of paper, Valencia, on the: TWENTY-FOURTH (24th) day of the month of: AUGUST, ---, in the Year: TWO THOUSAND: ---, 1819th year of Independence, and 1410 year of the Federation.

THE NOTARY
BOLIVARIAN REPUBLIC OF VENEZUELA
Third Notary Public in and for Valencia

(Signed) (Illegible)

AUTHORIZED EMPLOYEE
(Signed) (Illegible)
(Four partial stamps down right margin)

REPUBLIC...
(Seal)
THIRD NOTARY PUBLIC...

(Two stamps with illegible initials)
REPUBLIC OF VENEZUELA
(Coat of Arms)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Stamp)
The undersigned NOTARY confirms that she had before
her for examination and return FORM 16 No. 10604634,
paid at the Banco Del Caribe on August 14, 2000, issued by the
MINISTRY OF FINANCE
The Notary
(Signed) (Illegible)
(Stamp)
ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Five stamps diagonally down page)
Republic of Venezuela
(Coat of Arms)
Third Notary Public in and for Valencia
COURT IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIBAS AND JOSE RAFAEL
REVenga OF THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA, LA VICTORIA, ON THE
THIRTY-FIRST DAY OF AUGUST, TWO THOUSAND. YEARS: 199th Year of Independence and
141st Year of the Federation.

Having reviewed the petition filed by citizen: FRANCISCO JESUS VELASQUEZ ARCAY, who is a
citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No.
7,121,658, a practicing Attorney, registered with the Venezuelan Bar Association under No. 54,892;
appearing herein in his capacity as counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., it
is admitted to the extent provided by law. Consequently, it is ordered that the Court be transferred and
called into session at any location the petitioner indicates and that the required Judicial Inspection be held;
it is ordered that the necessary time be set aside and it is scheduled for twelve thirty p.m. on the 31st day
of August this year.

The Judge
(Signed) (Illegible)
Dr. Clemente Martinez E.
(Pollution Stump)

(Judicial Seal)
Court in and for the Municipalities
of José Felix Ribas and José Rafael Revenga

S.1401.

The Clerk:
(Signed) (Illegible)
Pilar de Mendoza.
(text missing)...it was noted that there was a vehicle there. Make: Ford, Model: Explorer V-8, color: white, plates: VAI-777P; the expert who had been appointed stated that the chassis serial number was: 8XD7U18V4Y8A14618. ITEM NO. TWO: The Court stated for the record that the vehicle actually had a tire mounted one on each of its rims. ITEM NO. THREE: The Court stated for the record that the expert who had been appointed advised that the vehicle had four tires mounted on it, identified as follows: front right tire: Make: Goodyear Wrangler RT/5 P255/70R-16, serial number DOT PBIR-2J4J439; the front left tire, Make: Goodyear Wrangler RT/5 P255/70R (text cut off), serial number DOT PBIR-2J4J439; the rear right tire: Make: Goodyear - Wrangler RT/5 P255/70R (text cut off) serial number DOT PBIR-2J4J439; rear left tire: Make: Goodyear Wrangler RT/5-P255/70 (text cut off), serial number DOT PBIR-2J4J439. ITEM NO. FOUR: The Court [stated for the record] that the expert advised that the front tires were in good condition, as was their tread. The rear tires were in bad condition and it was noted they were punctured, but the tread was in good condition. ITEM NO. FIVE: The Court stated for the record that at that point, photographs were then taken of each of the tires that were fitted, using an instant photograph Polaroid 636 Close Up camera; the photographs were ordered to be added to the record and to form an integral part of this inspection. ITEM NO. SIX: The Court stated for the record that at this point, ...
photographs were taken of the inspected vehicle's bodywork, using the camera described above; it was ordered that these photographs be added to the record so as to form a part of this inspection. **ITEM NO. SEVEN:** The Court stated for the record that the inspected vehicle was dented on the left side, both sides of (illegible) had caved in, the front left mudguard had come away, almost all of the bodywork was out of alignment and it was noted that the windshield was shattered. - At this point, the Petitioner stated: I would ask this Court to be so kind as to state the type of suspension on the vehicle for the record, and the year of the vehicle and the condition, Make, type and serial number of the tire in the back of the vehicle, and also the state of the tread on said tire. - The Court stated for the record that the suspension on the inspected vehicle was of the ARB Australiana type, which information was provided by the expert who had been appointed, and the expert also advised that the truck was an Explorer V-8 model, the year was 2000; and also, from the writing on said tire, it was noted that it was Make: Goodyear Wrangler RT/5 P255 – 70R-16, serial number DOT P88R-2U4439; it was in bad condition, punctured,
and the tread had come away from the outside side of the tire; it was noted that in one place, said tire was split. That is all. The inspection was concluded and the Court ordered its return to its usual seat and that this petition be returned with the results. Completed, read and signed by the undersigned, who were in agreement therewith.

(Stamp)
(illegible)
Judge
(Signed) (illegible)

(Signed) David Goncalves
Expert

(Signed) (illegible)
Petitioner

Photographer
(Signed) (illegible)

Clerk
(Signed) (illegible)
(Stamp – illegible)

(Partial stamp to right – illegible)

The original was returned with the results thereof on this same day.

Clerk
(Initials illegible)
(Stamp – illegible)
Certificate of Accuracy

STATE OF FLORIDA  
) SS 
COUNTY OF MIAMI-DADE  

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 1491, dated August 31, 2000, concerning an inspection of the Ford Explorer with plates numbered VAL-77P, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel  
Miami, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE  

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado  
Notary Public  
State of Florida

[Seal]  My commission expires: 1/17/03
REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICION CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE ISI:

MOTIVO:

JUZGADO:

FECHA DE ENTRADA: Día ____________ Mes ____________ Año ____________

FECHA DEVOLUCION: Día ____________ Mes ____________ Año ____________

0:23
Ciudadano

JUEZ DE LOS MUNICIPIOS JOSE FELIX RIVAS Y JOSE RAFAEL
REVENGA DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO ARAGUA

Su Despacho:

Yo, FRANCISCO JESÚS VELASQUEZ ARCAY, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N° 54.892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún (21) de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocuro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvia el requisito de la distribución, con el fin de que el Tribunal se traslade y conste en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.
CUARTO: De las condiciones generales de los cauchos instalados en cada uno
los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada u
de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que
encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra
carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en
debida oportunidad.

Solicito de conformidad con los artículos 472 y 473 del Código de Procedimiento
Civil, en concordancia con lo previsto en el artículo 502, cuajido, se ordene
reproducción fotográfica de los hechos anteriormente especificados y de cualquier
otro que expresamente me reserve señalar en la oportunidad de la práctica de die
inspección, judicial y que, a tal efecto, se designe un práctico fotógrafo y
práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que l
referidas fotografías fueron realizadas en su presencia, y que son reproducción
fotográfica fiel y exacta de los hechos evidenciados en la presente inspección judicial, y
lo cual solicito expresamente que dichas fotografías sean agregadas a la
inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta
original junto con sus resultados. Es gracia que espero en La Victoria, en la fecha
su presentación.

[Signature]
Yo, ROBERTO S. TERRADAS, vecino de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.265, proponiendo en el carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba al Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fechas veintitrés (23) de octubre de 1956, bajo el No. 1, por el presente documento declaro: Que mi representada confiere poder amplo, bastantes y suficiente cuanto en derecho se requiere y es necesario, a los abogados en ejercicio: HUMBERTO J. RICHEÑO, HENRY TORREALDA LEDESMA, JOSÉ HERNÁN D’APOLLO, RAMON J. ALVÍNS SANTI, MARÍA FERNANDA BAJZA, CLEMENTINA DE CASTRO, MARGOT RUEY, CARLOS LUIS VELAZQUEZ HERNÁNDEZ y FRANCISCO J. VELASQUEZ ARCAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 9.947.963, 3.661.225, 7.308.173, 6.845.624, 6.822.699, 10.335.670, 9.879.275, 7.129.225 y 7.121.658, respectivamente e inscritos en el IMPREVISTO bajo los N.os 13.546, 11.566, 19.695, 26.525, 32.502, 54.512, 40.335, 55.668 y 54.992, respectivamente; domiciliados los ocho primeros en la ciudad de Valencia, Estado Carabobo, para que actúen conjunta o separadamente, representen y asientan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que esa parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estadal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo pero
...
VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 00880 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739
Vista la solicitud presentada por el ciudadano: Fracisco J. Valasque Aray, vecino de la ciudad de Valera, Estado Carabobo, titular de la cédula de identidad No. 7121698, abonado a la empresa de Ipdroban, bajo el No. 81900, propuesto en este acto en su carácter de acreedor de Bridgestone Firestone Venezuela, G. T., se admite cuanto ha sido escrito. En consecuencia trasladado y consignado en este Tribunal donde indique el solicitor y practiquen la Inspección Judicial requerida, se nulte el tiempo necesario y se fije para dicho acto el día 31 de agosto del presente año a las once y treinta minutos de la mañana.

El Juez

[Signature]

La Secretaria

[Signature]

5.1.2.
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESÚS VELASQUEZ ARCAY

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day 05 Month SEPTEMBER Year 2009

DATE RETURNED: Day _____ Month _________ Year _______
(Hand written) One (1)

STATE OF CARABOBO
(Coat of Arms)

* Fee for Fiscal Stamp * VALUE: ONE HUNDRED
FORTY-EIGHT BOLIVARS (Bs. 148.00) *

CA-98 No. 04214641 –

Citizen:

FOURTH JUDGE FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

In his Office:

I, FRANCISCO JESÚS VELASQUEZ ARCAI, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,121,658, a practicing attorney, registered with the Venezuelan Bar Association (“INFORMABOGADO”) under No. 54,892, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition, for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders’ Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 5-A, hereby respectfully appear before you and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and constituted at the address of which I will advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford, Model: Explorer, and the Type Color and Plates of the inspected vehicle. ———

TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims. ———
THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstance that I reserve the right to indicate in due course.

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer be appointed, together with an expert mechanic. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed — illegible)

(Stamp)

FILED today, September 5, 2006
SET FORTH on one (1) page with One (1) Exhibit
AMENDMENTS: No
TIME: 9:00 A.M. OFFICE HOURS
IMMEDIATELY GIVEN TO JUDGE

(Signed — illegible)
(Hand written) Two (2)

(Stamp)
REPUBLIC OF VENEZUELA
(Coat of Arms)
(Inkals - illegible)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Back of Page Two)
(Four partial stamps down right margin)
...REPUBLIC OF...
(Coat of Arms)
THIRD NOTARY PUBLIC IN AND FOR .......
I, ROSENO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI MARIA FERNANDA ZAERA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARAY, all citizens of Venezuela, of age, holders of law degrees and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,139,825 and 7,121,638 respectively, who are registered with the Venezuelan Bar Association under Numbers 13,946, 11,568, 19,692, 26,304, 32,501, 54,502, 48,338, 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ....
not limited to, the courts of the First or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Controversial-Administrative Matters, Higher Courts for Controversial-Administrative Matters, Higher Courts for Controversial-Tax Matters, Courts for Controversial-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantees named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle and waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and grant extensions of time and waive appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accountings, move for petitioner or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal; object to any kind of bond or guarantee, settle at arbitration, with arbitrators and/or ................

(Four partial stamps down right margin)

Republic of...

(Seal)

Third Notary Public...
at arbitration proceedings at law; request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propound and answer interrogatories under oath, file claims and small claims and refrain from doing so, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VEHEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limitative and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VEHEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VEHEZOLANA, (now known as BRIDGESTONE FIRESTONE VEHEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
894

(Back of Page Four)

(Hand written) No. 61

(Three stamps with illegible initials)

REPUBLIC OF VENEZUELA

(Coat of Arms)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Four partial stamps down right margin)

Republic of .......

(Seal)

Third Notary Public.....

Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A. THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

(Three cancelled stamps down page)

REPUBLIC OF VENEZUELA

(Seal)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Stamp)

REPUBLIC OF VENEZUELA

Ministry of Finance

Name of Applicant

Identification No.

Date

For

Legal Basis

H-91

1310203

1000 Bs. One thousand Bolivars
REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on
the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th
year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO
VELASQUEZ ARCA\, who is registered with the Venezuelan Bar Association under number 54892,
was submitted for authentication and return, as per form No. 243271, dated: January 30, 1996. The
grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his
capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of age, domiciled in
Valencia, a citizen of Vene\ua, marital status: married and holder of identity card No. 6,297,265. He
read the document in the presence of the notary and stated: “The content thereof is true and correct
and the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be
authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of
identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained
by this Notary’s office under No. 28, Volume LI. The Notary states for the record that she examined and
returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Commercial Register,
which was originally registered with the Second Court of the First Instance for Civil and Commercial
Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1956, under No. 1. Also,
the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this city at 10:15
a.m. for the execution of this document.

THE NOTARY:

(Stamp)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

GRANTOR:

(Stamp) (Ilegible)

THE WITNESSES:-

(Three stamps):

(Two signatures – illegible)
Republic of Venezuela

(Seal)

Third Notary Public in and for Valencia
The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón J. Alivis Santi, and restricted the exercise thereof to citizens Diego Bustillos Beiser, Henry Torrealba, Mario Calosa, José Enrique D’Apilelo and Gabriela Núñez Márquez, by means of an instrument signed before the 8th Notary’s Office, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, on December 11, 1996.

The Notary,

(Signed) (Illegible)

(Stamps)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Three stamps reading)
Republic of Venezuela
(Coat of Arms)
Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That I have compared the photocopy consisting of three (03) sheets of usable paper and that it is a true and correct copy of the Document inserted at this Notary’s Office during the year 1996, under No. 28, Volume 11, that said copy was made by citizen: SULEIDA NOGUERA, of age, Holder of Identity Card No. V-5,622,001, a (legal) competent person who is authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of this same date, which are inserted below: Citizen: Third Notary Public in and for Valencia. In her office. I, AN OFFICER OF BAKER & MCKENZIE, of age, holder of identity card No. 1111111111111, am requesting a Certified Photocopy of document No. 28, Volume 11, from the Books of Authentications maintained by this Notary’s Office dated January 30, 1996. In Valencia, on the TWENTY-FIFTH (25th) day of the month of MAY, the year TWO THOUSAND. The Applicant (signed) Illegible. Republic of Venezuela. Office of the Third Notary Public in and for Valencia. Valencia, May 25, 2000, for this purpose, in compliance with the provisions of Article 120 of the Public Records Law. Citizen: SULEIDA NOGUERA, of age, Holder of Identity Card No. V-5,622,001. is appointed to perform the photocopying and sign each of the pages together with the Notary (signed) ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO. Valencia. On the TWENTY-FIFTH (25th) day of the month of MAY, the year TWO THOUSAND. 180th year of independence, and 140th year of the Federation.

THE NOTARY

(Signed) Illegible

Stamp

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

Stamp

Republic of Venezuela

(Signed)

Third Notary Public in and for Valencia

THE APPOINTEE -

(Signed) Illegible Noguera
(Two stamps with illegible initials)
Republic of Venezuela
(Seal)
Third Notary Public in and for Valencia

(Seal)
Third Notary Public

THE UNDERSIGNED NOTARY certifies that
she reviewed and returned Form 16, No. 1404769,
paid at Corporate Banking on May 26, 2000
issued by the MINISTRY OF FINANCE
THE NOTARY

(Signed) (Illegible)
(Stamp)
ROCA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Seal)
OFFICE OF THE THIRD NOTARY PUBLIC IN AND FOR VALENCIA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

189th year of Independence and 141st year of the Federation

This petition has been received. It is ordered that distribution be waived because the urgency of the matter has been stated under oath. It is ordered that it be admitted and a file opened therefor. It is ordered that all of the time needed be set aside, and that the Court be transferred and called into session at the location indicated in this petition so that the requested Judicial Inspection may be conducted.

(Signed)
REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR

(Signed)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO

PROVISIONAL JUDGE,
(Signed – illegible)
DR. RAFAEL E. CASTILLO H.

CLERK,
(Signature – illegible)
ATTORNEY JOSE LUIS SANZ

Admitted on this same date under No. 3377 and compiled with as ordered.

CLERK,
(Signed) (Illegible)

(Back of Page Eight is blank with three stamps)

REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR

(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO
At 10:45 a.m. today, the fifth (5th) day of September in the year two thousand, the Court, having first set aside all the necessary time, was transferred and called into session at the public parking lot of the Highway Patrol Command Post, located behind the Big-low Center in this City of Valencia, in the State of Carabobo, in order to conduct the judicial inspection requested by attorney Francisco Jesús Velásquez Arcay, registered with the Venezuelan Bar Association under No. 54,892, appearing in his capacity as legal counsel for Bridgestone Firestone Venezolana C.A., formerly known as C.A. Firestone Venezolana, as evidenced by a power of attorney, a photocopy of which was attached to this petition. In order to better conduct this inspection, the Court agreed to be advised by an expert photographer and an expert mechanic and to this end, it forthwith appointed citizen Marjorie Rossel, a citizen of Venezuela, of age, holder of identity card No. 12,606,141 and citizen David Goncalves Malpica, a citizen of Venezuela, of age, holder of identity card No. 11,089,574, who, both being present, accepted the assignments, and were sworn in as provided by Law; the expert photographer submitted for its examination .......
a Polaroid camera, Close Up 636 model and she immediately proceeded to take the photographs, which, once they have been certified by the clerk, will be added to this inspection so as to form a part thereof. The Court, being duly advised by the expert mechanic who had been appointed, then stated as follows for the record: **ITEM NO. ONE:** That at the location at which it had been called into session, there was a vehicle, make: Ford, model: Explorer 2000, XLT, type: 4x2 automatic, Color: gray, Plates: GBH-88A.- **ITEM NO. TWO:** It was also stated for the record that the inspected vehicle had four (4) tires mounted one on each of its rims. **ITEM NO. THREE:** Being duly advised by the expert mechanic, the Court stated for the record that the rear left tire was make: Goodyear, Wrangler RT/S, type: LT235/75R15, serial number DOT PBHL2AC4479; that the rear right tire was make: Goodyear Wrangler RT/S, type LT235/75R15, serial number DOTPBHL2AC4479; the front left tire was make: Goodyear Wrangler RT/S, type LT235/75R15, serial number DOT PBHL2AC4479; and that the front right tire was make: Goodyear Wrangler RT/S, type LT235/75R15, serial number DOT PBHL2AC4479.- **ITEM NO. FOUR:** Being also duly advised by the expert mechanic, the Court stated for the record that each of the tires mounted on each of the vehicle’s rims was in perfect condition. - ..........
Moreover, the tread on each of the tires mounted on each of the vehicle's rims was also in perfect condition. - **ITEM NO. FIVE**: The Court ordered photographs to be taken of each of the tires mounted on each of the inspected vehicle's rims and it ordered these to be added to this inspection so as to form a part thereof. **ITEM NO. SIX**: The Court also ordered photographs to be taken of the bodywork and condition of the vehicle that was the subject of this inspection with the camera identified above, and it ordered them to be added to this inspection so as to form a part thereof. - **ITEM NO. SEVEN**: The Court, being duly advised by the expert mechanic, stated for the record that the vehicle's bodywork was generally out of alignment, the roof was caved in and this was more pronounced on the left side, the windshields were shattered and there were dents and scratches on both sides of the vehicle. - At this point, the petitioner intervened, exercised the right he had reserved and stated: I would ask the Court to state the mileage on the vehicle for the record and also the type of suspension on the vehicle, and I would also ask the Court to state the make, type, serial number and condition of the spare tire and the state of its tread ....
for the record, and finally, that photographs be taken of the spare tire and the inspected vehicle's suspension. The Court agreed to collaborate on the request and stated for the record that the inspected vehicle showed a mileage of 8,865 kilometers. The Court, being duly advised by the expert mechanic, also stated for the record that the type of suspension on the vehicle was the one known as ARB Australiana and the vehicle was fitted with this suspension both front and rear. The Court also stated for the record that the spare tire was made: Goodyear Wrangler RT/S, type LT235/75R15, serial number DOT PBHL2A84369 and it was in perfect condition, as was its tread. The Court next ordered photographs to be taken of the spare tire and the suspension and agreed to add them to this inspection so as to form a part thereof. The Court concluded its mission at 11:30 a.m. and decided to return to the courthouse. Completed, read and signed by those below, who are in agreement therewith.

PROVISIONAL JUDGE
(Signed) (illegible)

DR. RAFAEL E. CASTILLO H.-
(Stamp)
(illegible)
STATE OF CARABOBO

* Fee for Fiscal Stamp * VALUE: ONE HUNDRED
FOURTY-EIGHT BOLIVARS (Bs. 148.00) *

CA-98 No. 04149901

Petitioner
(Signed) (Illegible)

The Expert Photographer
(Signed) (Illegible)

The Expert Mechanic
(Signed) David Goncalves

Acting Clerk
(Signed) (Illegible)

(Back of Page Eleven is blank with three partially legible stamps):

REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES ....
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO
Since this petition has been complied with, it is returned to the petitioner with the results, consisting of seventeen (17) sheets of paper, on this sixth day of September, in the year two thousand.

CLERK,

(Signed) (Illegible)

ATTORNEY JOSE LUIS SANZ

(Two illegible stamps)
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3377, dated September 5, 2000, concerning an inspection of the Ford Explorer with plates numbered GBH-88A, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
SOLICITANTE(S): FRANCISCO JESUS VELASQUEZ ARAY

MOTIVO: INSPECCION JUDICIAL

JUZGADO GUARDIATO DE MUNICIPIO

FECHA DE ENTRADA: Día 05 Mes 09 Año 2000

FECHA DEVOLUCION: Día Mes Año
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARÁBBO

Su Departamento

Yo, FRANCISCO JESÚS VELASQUEZ ARCAZ, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7121658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N° 54892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE

FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún (21) de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respectuosamente ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvié el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines.
TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debido momento.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 del mismo, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un técnico fotógrafo y un técnico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.

[Signature]

[Date: 05/09/2000]

[Stamp: Received]
Yo, ROSEMO S. TERRADAS, venezolano, mayor de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.365, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo, inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Distrito Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés (23) de octubre de 1996, bajo el No. 1, por el presente documento de compromiso, que mi representada confiere, poder amplio, bastante y suficiente cuento en derecho se requiera y sea necesario, a los abogados en ejercicio, HUMBERTO J. BRIENGO, HENRY TORREALBA LERENA, JOSÉ HENRIQUE D’APOLLO, RAMON J. ALVINS SANTI, MARÍA FERNANDA HAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LOUIS VEINTIETEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.967.363, 3.661.025, 7.306.173, 6.845.624, 4.822.699, 10.333.670, 9.879.275, 7.135.825 y 7.121.658, respectivamente e inscritas en el INPEXARQADO bajo los N.os 11.568, 19.652, 26.304, 32.501, 54.503, 48.358, 55.666 y 54.352, también respectivamente, domiciliados los ocho primeros en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y sostengan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal, de cualquier competencia, orden o jurisdicción, incluyendo pero
sin este impedimento, y en el caso de que no lo deSEMPE

VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 00918 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739
Arbitros de derecho; constituir asociados, seguir el o los juicios en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiere lugar, tanto los ordinares como los extraordinarios de cesación o invalidación, iniciar y desistir del juicio de amparo, promover y absolver posiciones juradas, promover quejas y querellas y desistir de ellas, y en general, hacer todo cuanto fuer

Es necesario o conveniente para la mejor defensa de los derechos e

intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia

que las facultades aquí conferidas son meramente enunciativas y no

exécutivas y que los apoderados aquí instituidos están facultados

para sustituir el presente poder en personas o abogados de su

confianza, con todas o algunas de las facultades anteriormente

señaladas, con reserva o no de su ejercicio. Este poder no revoca

ni deja sin efecto ningún otro poder otorgado con anterioridad por

BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia

de la existencia legal de mi representación, del carácter con que

fue otorgado, de mis atribuciones y de los demás particulares relativos a

este poder, y de conformidad con lo previsto en el artículo 155

del Código de Procedimiento Civil, envío y expo en este acto

otorgado ante quien se otorga el presente poder, solicitándolo

se sirva hacer constar en la nota respectiva, los siguientes
documentos: PRIMERO: Copia certificada expedida por el Juzgado

Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima

Circunscripción Judicial en fecha veintitrés (23) de octubre de

1936, del asiento Registro de Comercio No. 1, constativo del

Documento Constitutivo Estatutario original de C.A. FIRESTONE

VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA,

C.A.) SEGUNDO: Copia certificada expedida por el Registro

Mercantil Primero de la Circunscripción Judicial del Estado
Carabobo en fecha veintiséis (26) de noviembre de 1992, se formó el acta de Asamblea Ordinaria de Accionistas en la que se acordó entre otros puntos, el cambio de denominación de la compañía a BRIDGESTONE TIRESOLANA, C.A. TERCERO; Copia certificada expedida por el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiséis (26) de enero de 1993, del asiento Registro de Comercio No. 46, Tomo 6-A, contenido del acta de Asamblea General Extraordinaria de Accionistas celebrada en fecha doce (12) de diciembre de 1994, en la que consta la designación como Presidente de la compañía. Igualmente solicite al Notario Público que para el otorgamiento del presente poder, se trascusa y constiuya en las oficinas de la compañía, Valencia, en la fecha de su autenticación.
REPUBLICA DE VENEZUELA, NOTARIA PUBLICA TERCERA DE VALERIA, VALENCIA 

Firmado: 15/0 de T.E.N. de noviembre, el día 15/0 de noviembre. 

El acta de documento fue recibida por el abogado A. 

Y. VELASQUEZ ARAY, inscrito en el registro de abogados bajo el No. 34992, fue presentado para su autenticación y devolución, según pliego No. 242. 

271, de fecha: 30-1-96. Presente su otorgante dijo llamarse: 

ROSA M. TERRADAS actuando en carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., mayor de edad, domiciliado en 

Valencia, 

y titular de la cédula de identidad No. 62972555. Leído el documento en presencia de la notario expuso: "Su contenido es cierto y mi firma que aparece al pie del instrumento". La Notario lo dictado en presencia de los testigos: 

MARIELA JIMENEZ 

Y JESUS DE CERRON, titulares de las cédulas de identidad Nos: 10737, 912 y 395502, dejándolo inserto bajo el No. 28, Tomo II, de los libros de autenticaciones llevados en esta notaría. La Notaría hace constar que tuvo para su visita y devolución el Registro de Comercio de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., inscrito originalmente por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Segunda Circunscripción Judicial del Edo. Carabobo, en fecha 23 de octubre de 1956, bajo el No. 1. Igualmente para el otorgamiento del presente documento la Notaría se Trasladó y Constituyó en la Empresa BRIDGESTONE FIRESTONE VENEZOLANA, C.A. de esta ciudad a las 10:15. 

LA NOTARIA 

[Signature] 

EL OTORGANTE 

[Signature] 

LOS TESTigos 

[Signatures]
Lo que por acá viene es que se pueda hacer por el poder que reside en el ciudadano Ramón F. al que hace referirse que se haga en las personas de los ciudadanos Diego Buctillo Beimer, Henry Trevalle and Carlos, D. Enrique, D. Álvaro y Gabriel Ruiz Marzo, sin obligaciones firmar ante los Notarios 8º, ahora 4º, del Municipio Chehua del Distrito Miranda bajo el n° 46, tomo 9ª fechas 11-12-96.

[Signature]

[Notario Público y Tercero de Firma]

[Seal]
REPUBLICA DE VENEZUELA, ROSA RUEDA DE MOUTRANN, NOTARIO PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARABobo, QUIEN SUSCRIBE CERTIFICADO

Que ha confrontado la Copia Fotostatico constante del TRES (03)......Julio......Sill, que se trae lio y exacto del Documento insente en esta Notoria......

Durante el Ano: 1.896...... bajo el No. 28......, Tomo: 117...... (No dicho de la Cedula de Identidad No. V-5.673.001......, persona capaz, autorizada por el para hacerla y quien junto conmigo suscriba la presente Certificacion y cada una de sus paginas. Que dicha Copia se expide a solicitud de que...
La NOTARIO que suscribe hace constar que tuvo para su vista y devolución Planilla FORMA \textit{16. de} no. 160 del Banco de fecha 05/05/2000 expedida por el MINISTERIO DE HACIENDA.

[Signature]

[Seal]

[Stamp]
JUICIO QUARTO DE LOS MUNICIPIOS VALENCIA LIBERTADORA LOS SANTOS NAJUMANBA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARANEO.-

Valencia, 05 de septiembre del 2.000.-
1890 y 1410

Por recibida la presente solicitud, Obitada la distribución por ser de jurada la urgencia del caso. Preséntese entrada. Fúreme expediente. Habilitése todo el tiempo necesario y traslácensese para el Tribunal en el sitio indicado en la presente demanda, a los fines de practicar la inspección judicial requerida.-

El Secretario

Mr. RAFAEL E. CAINZ

En la misma fecha se cumplió lo citado y se dio entrada caso el No. 2571.-

El Secretario
...
reunimos en la parte de adelante de un cuarto de lo tiempo resultando en la reunión de las partes que asisten, adaptando el proyecto. 

Quito: El Tribunal reconoce la interrupción de la sesiones. El recibo de presentación de los documentos y la asistencia de las partes que asisten, adaptando el proyecto. 

El recibo de presentación de los documentos y la asistencia de las partes que asisten, adaptando el proyecto.
Cumplida como ha sido la presente solicitud, devuélvase con los resultados al solicitante, constante de 17 folios útiles de seis de septiembre del año dos mil.
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESÚS VELASQUEZ ARCAV

.reason: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITY OF JOSÉ FÉLIX RIBAS AND JOSÉ RAFAEL REVENGA

DATE OF ENTRY: Day 07 Month SEPTEMBER Year 2000

DATE RETURNED: Day ______ Month ____________ Year ________

No. 1493

C.22
STATE OF ARAGUA
(Coat of Arms)

VerDate 11-May-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 00938 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739

Ar-99 No. 1816391 –

Citizen:
JUDGE IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIVAS AND JOSE RAFAEL
REVENGA IN THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA

In his office,
I, FRANCISCO JESUS VELASQUEZ ARCAI, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,121,658, a practicing attorney, registered with the Venezuelan Bar Association ("INPREABOGADO") under No. 54,892, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney attached to this petition, for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume E-A, hereby respectfully appear before you and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and constituted at the address of which I will advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford, Model: Explorer, and the Type Color and Plates of the inspected vehicle.

TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.
(Back of Page One)

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread. 

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. 

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle. 

SEVEN: That a statement be made on the record as to the general condition of the vehicle's bodywork. 

As to any other fact or circumstance that I reserve the right to indicate in due course.

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer be appointed, together with an expert mechanic. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed - illegible)

(Stamp)
Bolivarian Republic of Venezuela
In the Judicial District of
The State of Aragua
(Seal)
In and for the Municipalities of
José Félix Rivas and José Rafael Reverga

(Hand written) Submitted today, August 7, 2000
(Signed - illegible)
(hand written) Two (2)

(Stamp)
REPUBLIC OF VENEZUELA
(Coat of Arms)
(Initials - illegible)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Back of Page Two)
(Pour partial stamps down right margin)
REPUBLIC OF VENEZUELA
(Coat of Arms)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA
FRANCISCO J. VELASQUEZ ARCAY  
ATTORNEY  
VENEZUELAN BAR ASSOCIATION NO. 54,892

I, ROSERDO S. TERRADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,265, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad, adequate and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICENO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAY, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,139,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("INPREABOGADO") under Numbers 13,946; 11,568; 39,692; 26,304; 32,503; 54,502; 48,338; 55,660 and 54,892, also respectively, the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but .....
not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantees named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle, waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accountings, move for petitionary or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee (this text is missing: required by any Court or Tribunal; object to any kind of bond and/or guarantee, settle at arbitration, with arbitrators and/or)
(Hand written) Four (4)

(Fiscal Stamp)
REPUBLIC OF VENEZUELA
20 BOLIVARS
Ministry of Finance

(Four partial stamps in left margin)
...OF VENEZUELA
(Coat of Arms)

...IN AND FOR VALENCIA
(Three stamps over fiscal stamp with illegible initials)
REPUBLIC OF VENEZUELA
(Coat of Arms)

Third Notary Public in and for Valencia

at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be, whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, propound and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limitative and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE. Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Stamp)

REPUBLIC OF VENEZUELA

Ministry of Finance

Name of Applicant

Identification Number

Date

For Legal Basis

[Text cut off]
(Hand written) sixty-(illegible)
(Hand written) Five (S)
Republic of Venezuela
(Sign)
in and for Valencia
-illegible

(Four stamps)
REPUBLIC OF VENEZUELA
(Sign)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA
(Initials and signature superimposed - illegible)

REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on
the thirty (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th
year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO
VELASQUEZ ARCAV, who is registered with the Venezuelan Bar Association under number 54892,
was submitted for authentication and return, as per form No. 243271, dated: January 30, 1996. The
grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his
capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of legal age,
domiciled in Valencla, a citizen of Venezuela, marital status: married and holder of identity card No.
6,297,265. He read the document in the presence of the notary and stated: "The content thereof is true
and correct and the signature appearing at the bottom of the instrument is mine." The Notary therefore
declared it to be authenticated in the presence of witnesses: MARIA LEA JIMENEZ AND ESTHER DE
CESAR, holders of identity cards Nos. 16,737,912 and 395,502, and she inserted it in the book of
authentications maintained by this Notary's office under No. 28, Volume 4. The Notary states for the
record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.'s entry in
the Companies Register, which was originally registered with the Second Court of the First Instance for
Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23,
1956, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.'s
premises in this city at 10:15 a.m. for the execution of this document.

THE NOTARY:
(Signed) (illegible)
(Sign)
ROSA RUIEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

GRANTOR:
(Signed) (illegible)

THE WITNESSES:-
(Two signatures - illegible)
(Three stamps)
REPUBLIC OF VENEZUELA
(Cost of area)
Third Notary Public in and for Valencia
940

(Back of Page Five) (Four partial stamps in right margins)
Republic. . .
(Spell)
Third Notary Public....

(Two stamps with illegible initials)
Republic of Venezuela
(Coat of Arms)
Third Notary Public in and for Valencia

(Four stamps diagonally down page)
Republic of Venezuela
(Coat of Arms)
Third Notary Public in and for Valencia
BOLIVARIAN REPUBLIC OF VENEZUELA. MINISTRY OF THE INTERIOR AND JUSTICE. THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, CHIEF THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That this photocopy is a true and correct copy of the original document that was submitted to this Notary's Office for authentication and return, and was inserted under No. 28 ...... Volume 11...... dated January 30, 1996. ....... , and that was compared by me as the authorized employee and concerns the petition prepared on August 24, 2000 ......, by Citizen: MARJORIE ROSELL, ...... of age, holder of Identity Card No. V-12,606,141. ......, according to Receipt Form Number: 336537, ...... dated: August 24, 2000. This Certification is issued with the assistance of employee: SULEIDA NOGUERA, ...... of age, holder of Identity Card Number: V-5,622,001 ......, who works for this Notary's Office, who is duly authorized by the Notary to do so and who is signing each and every page hereof, all pursuant to the provisions of Article 120 of the PUBLIC RECORDS Law and in agreement with ARTICLE 10 and ARTICLE 20 of the Rules for NOTARY PUBLIC OFFICES. Said Certification consists of: THREE (3) ...... sheets of paper. ...... Valencia, on the: TWENTY-FOURTH (24th) ...... day of the month of: AUGUST, ...... in the Year: TWO THOUSAND, ......, 181st year of Independence, and 141st year of the Federation. ......

THE NOTARY

BOLIVARIAN REPUBLIC OF VENEZUELA

(Coat of Arms)

Third Notary Public's Office In and for Valencia

(Signed) (Illegible)

(Rosa Rueda de Houtmann)

THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

AUTHORIZED EMPLOYEE

(Signed) (Illegible) Noguera
The undersigned NOTARY confirms that she had before her for examination and return FORM 16 No. 10406633, paid at the Banco Del Caribe on August 24, 2000, issued by the MINISTRY OF FINANCE.
The Notary

(Stamp)

(Signed) [Illegible]

(Stamp)

ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
IN AND FOR VALENCIA

(Stamp) diagonally down page

Republic of Venezuela

(Coat of Arms)

Third Notary Public in and for Valencia
(Hand written) Seven (?)

(Four partial stamps in left margin)

..... VENEZUELA

......

..... VALENCIA

(Back of Page Seven):

(Two partial stamps in right margin - illegible)
STATE OF ARAGUA

Fee for Fiscal Stamp Value: One hundred and ninety-two Bolivars (Bs. 192.00)

(Two partial stamps down left margin- illegible)

AR – 99 No. 1816528

COURT IN AND FOR THE MUNICIPALITIES OF JOSE FELIX RIBAS AND JOSE RAFAEL REVenga OF THE JUDICIAL DISTRICT OF THE STATE OF ARAGUA, LA VICTORIA, ON THE SEVENTH DAY OF SEPTEMBER, TWO THOUSAND. YEARS. 190th Year of Independence and 141st Year of the Federation.-

Having reviewed the petition filed by citizen: FRANCISCO JESUS VELASQUEZ ARCAY, who is a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,121,658, a practicing Attorney, registered with the Venezuelan Bar Association under No. 54,892; appearing herein in his capacity as counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., it is admitted to the extent provided by law. Consequently, it is ordered that the Court be transferred and called into session at any location the petitioner indicates and that the required Judicial Inspection be held; it is ordered that the necessary time to set aside for same and it is scheduled for twelve thirty p.m. on the 7th day of September this year.

The Judge
(Signed) (Illegible)
Dr. Clemente Martinez E.

(Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Seal)

Court in and for the Municipalities
of José Félix Ribas and José Rafael Revenga

The Clerk.
(Signed) (Illegible)
Pilar de Mendoza

(Back of Page Eight):

(Partial stamp in the center and two partial stamps down the right margin)

Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Seal)

Court in and for the Municipalities...
Court in and for the Municipalities of José Felix Ribas and José Rafael Revenga in the Judicial District of the State of Aragua. La Victoria, the seventh day of September in the year two thousand. 190th Year of Independence and 141st year of the Federation. On this day, being twelve thirty in the afternoon, the necessary time having been set aside, the Court, accompanied by the petitioning attorney, Francisco Jesús Velásquez Areay, acting in his capacity as counsel for the commercial company, Bridgestone Firestone Venezolana, C.A., a company formerly known as C.A. Firestone Venezolana, previously fully identified in the record, was transferred to and called into session at the La Victoria toll booth, which was the location indicated by the petitioner for the holding of the required Judicial Inspection. Next, in order to conduct the inspection as requested, the Court appointed citizen David González Malpica, holder of identity card No. 11,029,574 as the expert mechanic and citizen Jehubert Houtmann, holder of identity card No. 13,256,378 as the expert photographer; being present, they accepted the assignment and were sworn in as provided by law. The Court then went on to hold the [missing text: requested Judicial Inspection]. ITEM NO. ONE: The Court stated for the record that there was a truck....
parked at the La Victoria Toll Booth, Make: Ford, Model: Explorer XLT, year: 1997, type: 4x2 automatic, color: blue, plate: AAB-324; the expert stated that its chassis serial number was: AJU3T727957. ITEM NO. TWO: The Court noted that there was a tire mounted on each rim of said vehicle. ITEM NO. THREE: The Court stated for the record, with the assistance of the expert who had been appointed, that there was a tire mounted on the front right side of the vehicle, Make: Goodyear, type: Wrangler RT/S LT 235/75 R15; serial number DOT PBHL2AC4 2200; on the right rear side, there was a tire: Make: Goodyear, type: Wrangler RT/S LT 235/75R15, serial number DOT PBHL 2AC4.2200; on the front left side, a tire, Make: Goodyear, type: Wrangler RT/S LT 235 /75R15, serial number DOT PBHL2AC4.2200; on the rear left side, a tire, Make: Goodyear, type: Wrangler RT/S LT 235 /75R15, serial number DOT PBHL2AC4.2200. ITEM NO. FOUR: The Court stated for the record that the four tires that were installed were in good condition, as was their tread. ITEM NO. FIVE: The Court stated for the record that at this inspection, photographs were taken of each of the tires that were installed using an instant photograph Polaroid 636 Close Up camera. ITEM NO. SIX: The Court stated for the record that at this inspection, photographs were taken of the inspected vehicle’s bodywork using the camera described above. ITEM NO. SEVEN: ......
The Court, with the assistance of the expert who had been appointed, stated for the record that the inspected vehicle was misaligned throughout with a caved in roof that was very pronounced on the left side, the windshield was shattered, the hood was caved in, and both sides were dented. At this point, the petitioner stated: I would ask the Court to be so kind as to state for the record the Make, type and serial number of the spare tire, and also its condition and the condition of the tread, and also that a statement be placed on the record as to the inspected vehicle’s mileage. The Court, with the assistance of the expert who had been appointed, then stated for the record that the spare tire was described as follows: Make: Goodyear, type: Wrangler RT/S LT235/75 R15, serial number DOT PBHL2AC#2200, which was found to be in good condition, as was its tread. In addition, the Court stated for the record that the expert who had been appointed advised that the mileage on the inspected vehicle was 108,302 kilometers. That is all. At this point, the Court ordered the photographs taken for items Five and Six of this inspection to be added to the record. That is all. The inspection was concluded and the Court ordered the return to its usual location and that the original...
of this petition be returned with the results thereof. Completed, read and signed by those below who were in agreement therewith.

THE JUDGE
(Signed) (Ilegible)
(Seal)
Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Sign)
Court in and for the Municipalities
Of José Félix Ribas and José Rafael Revenga

Expert
(Signed) David Goncalves

Photographer
(Signed) (Ilegible)

CLERK
(Signed) Pilar M. de Mendoza

(Hand written) Original with results returned this same day.

Clerk
(Signed) (Ilegible)

(Seal)
Bolivarian Republic of Venezuela
Judicial District
Of the State of Aragua
(Sign)
Court in and for the Municipalities
Of José Félix Rivas and José Rafael Revenga
(Signed) (Ilegible)
Certificate of Accuracy

STATE OF FLORIDA )
 ) SS
COUNTY OF MIAMI-DADE )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 1493, dated September 7, 2000, concerning an inspection of the Ford Explorer with plates numbered AAR-32A, is accurate, true and complete, to the best of my knowledge, ability and belief.

[Signature]
Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

[Signature]
Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
SOLICITANTE (a): Francisco José de la Roca Aray

MOTIVO: 

JUZGADO: 

FECHA DE ENTRADA: Día 07 Mes Septiembre Año 2000

FECHA DEVOLUCIÓN: Día _______ Mes _______ Año _______
Ciudadano,

JUEZ DE LOS MUNICIPIOS JOSE FELIX RIVAS Y JOSE RAFAEL.

REVENGA DE LA CIRCUNScriPCION JUDICIAL DEL ESTADO ARAGUA

Su Despacho.

Yo, FRANCISCO JESUS VELASQUEZ ARCAY, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N°7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N°54.892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintinueve (29) de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocupo y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se observe el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo; Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.
CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 eusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en La Victoria, en la fecha de su presentación.

[Signature]
To: ROGERIO S. TERRADAS, mayor de edad, de este domicilio, civilmente hábil y titulares de la cédula de identidad No. 6.297.365, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZUELANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés (23) de octubre de 1956, bajo el No. 1, por el presente documento declaro, que mi representada confiere poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio, HUMBERTO J. BRIEÑO, HENRY TORREALBA LEDEMA, JOSÉ HENRIQUE D'APOLLO, RAMON J. ALVARES SAMIT, MARIA FERNANDA RAZIA, CLEMENTINA DE CASTRO, MARCOT HUHN, CARLOS LOIS FERNANDEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.967.652, 3.661.625, 7.398.173, 6.845.624, 8.322.699, 19.335.670, 9.374.375, 7.159.635 y 7.122.658, respectivamente e inscritos en el INPREABOGADO bajo los Mos. 13.945, 11.568, 19.692, 20.304, 32.501, 54.302, 48.398, 55.660 y 54.892, también respectivamente; domiciliados los ocho primeros en los nombrados en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y sustituyan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZUELANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo para
sos el caso, y ello, por ante los Tribunales de Primera y Segunda Instancia, el Distrito o de Municipio, Corte Suprema de Justicia, Corte Primera en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Tributario, Tribunales en lo Contencioso Administrativo, Tribunales Penales, Tribunales de Trabajo y en fin, por ante todos los organismos, tribunales, despachos, autoridades y/o funcionarios de carácter público o privado. En el ejercicio del presente poder los prenombrados apoderados están facultados para intentar y/o contestar toda clase de demandas, reclamos, procedimientos, incidencias y/o reconvenencias; elegir, oponer y/o contestar defensas y cuestiones previas; hacer citas de asemejamiento y/o de garantía; convenir, desistir, transigir; renunciar a acciones o derechos y dejar de ejercitarlos si así fuera conveniente; solicitar acumulación de acciones o de acciones, diferir actos, suspender, ejercer, reclamar, renunciar íntegros y recursos; recabar, demandar la calidad y reposición cuando fuera necesario o conveniente; apelar, ocurrir, hecho; promover cualquier medio de prueba y oponerse a la admisión de los mismos e intervenir en todos los trámites e incidencias de su evacuación; solicitar y tramitar cualquier medida preventiva o ejecutiva cuando así fuera necesario o conveniente u oponérselos a las mismas e intervenir en cualquier otra incidencia que pudiera presentarse; inclinar tercerías; tasar y/o desconocer toda clase de documentos; tasar testigos; hacer cesión de bienes; pedir rendición de cuentas; proponer acciones petitorias e confiscatorias de la especie que fueran; darse por citado o notificado; recibir y entregar cantidades de dinero que legítimamente se aperciba otorgando y exigiendo los correspondientes recibos y finiquitar, disponer de los derechos en litigio; solicitar e intervenir en procedimientos de remate, a tales fines hacer posturas y adquirir en actos de remate; otorgar cualesquiera fianzas y cauciones.
constituir asociados, obtener el consentimiento en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiere lugar, tanto los ordinarios como los extraordinarios de casación o invalidación; iniciar y desarrollar el juicio de amparo; promover y absolver posiciones juradas; promover quejas y querellas en los casos de ellas; y en general, hacer todo cuanto fuera necesario o conveniente para la mejor defensa de los derechos a que se refiere esta escritura.

BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dado constancia de las facultades aquí conferidas son meramente anunciativas y no taxativas y que los apoderados aquí instituidos están facultados para sustituir al presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de mi representada, del carácter con que se ejerce, de mis atribuciones y de los demás particulares relativos a los poderes, y de conformidad con lo previsto en el artículo 158 del Código de Procedimiento Civil, enmiendo y exhibo en este acto al Notario ante quien se otorgó al presente poder, solicitándole se haga constar en la nota respectiva, los siguientes documentos:

PRIMERO: Copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1998, del asiento Registro de Comercio No. 1, constativo del documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.).

SEGUNDO: Copia certificada expedida por el Registro Mercantil Primero de la Circunscripción Judicial del Estado
Caracas, veintidós (22) de noviembre de 1992, del
Registro Mercantil, C. A. TRECHO. Copia certificada expedida por
Regisro Mercantil Primero de la Circunscripción Judicial
Estado Carabobo en fecha veintidós (22) de enero de 1993
asiento: Registro de Comercio No. 46. Tomo 6-A, contenido del acta
de Asamblea Extraordinaria de Accionistas celebrada en
fechas doce (12) de diciembre de 1984, en la que consta mi
designación como Presidente de la compañía. Igualmente solicito al
Notario Público que para el otorgamiento del presente poder, se
traslade y constituya en las oficinas de la compañía. Valencia, en
la fecha de su autenticación.
ESTIMADO

I. H. M. N.

EL ARBITRO

EL PARQUER

ESTIMADO

I. H. M. N.

EL ARBITRO

EL PARQUER

I. H. M. N.

EL ARBITRO

EL PARQUER

I. H. M. N.

EL ARBITRO

EL PARQUER
REPÚBLICA BOLIVARIANA DE VENEZUELA - MINISTERIO DEL INTERIOR Y JUSTICIA

INDA RUEVA DR. ROBERTO - NOTARIO PÚBLICO TERCERO "TITULAR"

DEL MUNICIPIO AUTÓNOMO VALLENCIA DEL ESTADO CARACAS, QUIEN SUSCRIBIÓ CERTIFICADO

Que la presente Copia Fotocopiada es copia fiel y exacta del Documento original presentado en esta notaría para su autenticación y devolución, el cual quedó inscrito bajo el núm. 28-....., Toma: 118-......, de fecha 20-01-85-......, la cual fue confrontada por el como por el funcionario autorizado y adueño de la solicitud formulada en fecha 24-08-2000-......, por el (la) Ciudadano (a): MARISOL ROSELL - .....

DNI: 3363075-...... (DNI: 24-08-2000)

Esta Certificación se expide con la colaboración del Funcionario: SUKIDAR AGÜERA - ............... (DNI: 3363075-......), mayor de edad, con Cédula de Identidad Número: 6-6-002-001-......, en el servicio de esta Notaría, quien está autorizado, para hacerla y quede firme en todas y cada una de las páginas, toda ella de conformidad con lo establecido en el artículo 78 de la Ley de Registro Público y en conformidad con los ARTÍCULOS 12 y 13 del Reglamento de Notarias Públicas, donde Certificación consta de TRES (3) FECHAS, VALLENCIA, a los VEINTE (20) días del mes del AÑO 2000, con 

1999 de la Independencia y 11 de la Frontera.

______________________________
FUNCTIONARIO AUTORIZADO.
La NOTARIO que suscribe hace constar que tuvo para su vista y devolución Plantilla FORMA 16 NRO. 180263, cancelada en el Banco "[cortado]" de fecha 27 de [cortado] expedida por el MINISTERIO DE HACIENDA.

LA NOTARIO

[Nombre y firma]

[Plantilla pública de Hacienda de Valencia]
JUZGADO DE LOS MUNICIPIOS JOSÉ FELIX ALPAC Y JOSÉ RAFAEL RUIZ DE LA CERDA.
CONSEJERÍA JUDICIAL DEL ESTADO AMAPA. LA VICTORIA, 07 DE DICIEMBRE DEL
AÑO 1999.-

Vista la solicitud presentada por el ciudadano FRANCISCO JAVIER FOLAC.
FIRMADO como representante de terceros interesados en la ciudad de Valencia, Estado Carabobo.
Titulado de la oficina de Identidad 51,12215, en el acta de concesión, inscripción y en el inmueble bajo el número 51,12215, presente en el acta en su carácter de representante de terceros interesados en la ciudad de Valencia.
Se anteve que, en consecuencia, trasladase y constituyese el Tribunal donde.

Indique el solicitante y practique la inscripción judicial respectiva, se hace.

El 07 de diciembre del presente año a las doce y media de la tarde.

Firmado.

[Signature]

Firma de Testigos.
961

Ar. 99 No. 1816527

...
962

triunfó la defensa estrenada con...

234

962

VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 00968 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739
Determine el módulo del escarabajo de polvo que, al ser manipulado por el vehículo, produce descomposición de los módulos de la dirección. En este sentido, el escarabajo se encuentra en la parte superior de la madera de la rama del módulo del escarabajo con una femur lisa que...
con la presente ratifico lo firmado en otros
sean estas firmas de hoy cumplan fracción

[Signature]

[Signature]

[Signature]

[Signature]
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): ARACELIS URDANETA

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day: 25 Month: September Year: 2000

DATE RETURNED: Day: Month: Year: 

No. 3382
As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502, ejusdem, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed – illegible)

FILED ON SEPTEMBER 23, 2000
ON ONE (1) SHEET OF PAPER AND NO EXHIBIT
AMENDMENTS: NO
TIME: 9:00 a.m., DURING OFFICE HOURS
FORWARD TO JUDGE IMMEDIATELY

(Signed) (illegible)
Fourth Court in and for the Municipalities of Valencia, Libertador, Los Guayos, Naguanagua and San Diego in the Judicial District of the State of Carabobo.

Valencia, September 25, 2000
189th Year of Independence and 141st year of the Federation

This petition has been received. It is ordered that distribution be waived since the emergency nature of the case has been stated under oath. It is ordered that it be admitted. It is ordered that a file be opened. It is ordered that the necessary time be set aside and that the Court be transferred and called into session at the location indicated in this petition, for purposes of conducting the requested Judicial Inspection.

REPUBLIC OF VENEZUELA

(Seal)

PROVISIONAL JUDGE

(Seal)

SIGNS

Clerk

Compiled with as ordered, this same day; logged in under No. 3382.

THE CLERK

(Seal)

(Seal)
At four in the afternoon (4:00 p.m.) today, the twenty-seventh day of September, in the year two thousand, after setting aside all the time needed, the Court was transferred to and called into session at Warehouses Nos. 3, 4, 5 and 6 in the Los Corrales Shopping Center in the La Florida District, at which the mechanic's shop, Primer Auto, does business, in the Municipality of Libertador in this City of Valencia, in order to conduct the Judicial Inspection requested by attorney, Araceli Urdeneta, Venezuelan Bar No. 30,706, who was present at this Inspection. For the best advice on and illustration of the performance of this Judicial Inspection, the Court appointed Citizen, David Goncalves, as the Expert, and Citizen, Marjorie Rossel, [sic] as the expert photographer, both being citizens of Venezuela, of age, and holders of Identity Cards Nos. 11,089,574 and 12,606,141 respectively; they were present, accepted the task, were sworn in as provided by law and stated under oath that they would faithfully fulfill their obligations. Once the photographs that were taken are developed,
having been first certified by the clerk, they will be added to this petition, as so to form part of same. The Court then proceeded to conduct the requested Judicial Inspection and stated for the record as follows: **Item ONE:** The Court stated for the record that it was called into session at the Primer Auto mechanic's shop in Warehouses 3, 4, 5 and 6, in the Los Corrales Shopping Center in the La Florida District, in the Municipality of Libertador in this City of Valencia, where there was a vehicle Make: Ford, model: Explorer, type: 4x2, color: blue, year: 97, plates: GAE-41C*. **Item TWO:** The Court stated for the record that the vehicle described above has four (4) tires mounted one on each of its rims. **Item THREE:** Upon advice from the expert, the Court stated for the record that four (4) tires fitted one on each rim of the inspected vehicle were, make: Goodyear, type: Wrangler RT/S LT235/75R-15, serial number DOT PBH12AC43100*.*. **Item FOUR:** Upon advice from the expert at this inspection, the Court stated for the record that the treads on the tires on the vehicle were in good condition, as were the tires.
It was noted that the left front tire was flat. - Item FIVE: The Court ordered photographs to be taken of each of the tires mounted on each of the inspected vehicle’s rims, and it ordered that once these were developed, they were to be added to this inspection, so as to form a part thereof. - Item SIX: The Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle, which photographs, once they are developed, will be added to this inspection, so as to form a part thereof. - Item SEVEN: Upon advice from the expert, the Court stated for the record that the bodywork of the vehicle was dented, with generalized misalignment, the roof had caved in on the front left and the windshield was shattered. At this point, the Petitioner identified above.
intervened and stated: "I ask the Court to state the vehicle’s mileage for the record, and I also ask that it state for the record the make, type, serial number and condition of the spare tire, and also the state of its tread. The Court agreed and as requested, it stated for the record that the mileage of the inspected vehicle was 102,956 kilometers. It also stated for the record that the spare tire was: make: Goodyear, type: Wrangler RT/S LT235/75R-15, serial number DOT PBHL2AC43100, and it was in perfect condition, as was its tread. At this point, citizen Darvis Rosales, holder of Identity Card No. V-7,956,856, in his capacity as a purchasing agent at the Mechanic’s workshop at which the Court was called into session, appeared and stated to the Court that the reason the above-described vehicle was brought into said shop was due to a rollover. The Court concluded its mission and decided to return to the Courthouse. That is all. Completed, read and signed by the undersigned, who are in agreement therewith.
STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp – Value: 148 Bolivars

(Two partial stamps on left margin – illegible)

THE PROVINCIAL JUDGE
(Signed) Illegible
Dr. Rafael E. Castillo H.
(Stamp)
REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF
VALENCIA, LIBERTADOR
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO

The Petitioner
(Signed) Illegible

The Photographer
(Signed) Illegible

The Expert
(Signed) David Geneaives

Acting Clerk
(Signed) Illegible

(Stamp)
(Illegible)
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO

(Hand written) -43-
During office hours today, the third (3rd) day of October, 2000, MARJORIE ROSSELL ORTEGA, a citizen of Venezuela, of age, who is legally competent, holder of identity card No. 12,605,141, personally appeared before this Court and stated: I am hereby delivering the photographs taken at the Judicial Inspection for which I was appointed as the Expert Photographer". That is all, completed, read and signed by those below, who were in agreement therewith.

(Signed) (Illegible)

PRESENTER

(Signed) (Illegible)

CLERK

(Stamp)

REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Seal)

LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
JUDICIAL DISTRICT OF THE STATE OF CARABOBO
This petition, consisting of (11) sheets of paper, having been complied with, is returned today, the third of October, two thousand.-

Clerk
(Signed) (illegible)
ATTORNEY JOSE LUIS SANZ
(Stamp – illegible)

(Two partial stamps in right margin – illegible)
Certificate of Accuracy

STATE OF FLORIDA
    )
    ) SS
COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3382, dated September 25, 2000, concerning an inspection of the Ford Explorer with plates numbered GAO-41C, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 29th day of January, 2001.

Elena Rosado
Notary Public
State of Florida

My commission expires: 1/19/03
REPUBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE(S): [Cargo, Nombre]

MOTIVO: [Motivo]

JUZGADO: [Nombre del Juzgado]

FECHA DE ENTRADA: [Fecha]

FECHA DEVOLUCION: [Fecha]

C: [Copia]

3382
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN

Su Despacho

Yo, ARACELIS URDANETA, venezolana, mayor de edad, domiciliada en
Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.082.174,
abogado en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706,
actuando en mi propio nombre y para fines legales que me interesan, ante usted
respetuosamente ocupo y expongo. De conformidad con los artículos 192, 936 y
938 del Código de Procedimiento Civil y 1.429 del Código Civil, bajo la urgencia
del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y
en consecuencia se obvie el requisito de la distribución, con el fin de que el
Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a
fin de dejar constancia por vía de Inspección Judicial, de los particulares
siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra construido el
Tribunal, de un vehículo: Marca: Ford y del Modelo. Tipo. Color y Placas, que
presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado
en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en
cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de
los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno
de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se
encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la
De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 592 a) citado, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta inspección judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultas. En gracia que espero en Valencia, en la fecha de su presentación.

25/07/2006

_____________________________
J. A. S. U. A.

_____________________________
Firma del Director de la U.D.

_____________________________
Firma del Director del Departamento de Inspección Judicial
DUERME QUAY DE LOS MUNICIPIOS VALENCIA LIMPIADOR DE LOS SERVICIOS PÚBLICOS Y SANCHEZ DE LA CIZALLADORA (LIGUEROS) DEL OESTE DE FEBRERO.-

Valencia, 25 de Septiembre del 2.000.-
167. y 1419

Fu musical y presente solicitud, hablante

En la anterior fecha se cumplió lo pedido, se le dio entrada bajo el No. 3382.-
La fecha de hoy Tendiente es el 25 de

9 de abril de 2001

subdirector de la sección de

el传说 de Buredo y Christiya

en la capital del futuro Consejo.

Las horas de la tarde del diez

aparece en el documento del

el 7 de abril en el Cuarto building

el 3, 4 y 5 de abril aparece en

el 7 de abril de 2001.

El edificio de la plaza de la

las horas de la tarde del diez

el 7 de abril en el Cuarto building

el 3, 4 y 5 de abril aparece en

el 7 de abril de 2001.

El edificio de la plaza de la
capa superior a la parte de
del mismo, por lo que aparece par-
día en la página superior. En el per-
que viene a representar la superficie
de la superficie de la plancha.
la parte a la que se propone la
superficie superior de la plancha.
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Superficie de la plancha.
En horas de Despacho del día de hoy tres (3) de octubre de 2000, comparece por ante este tribunal **MARJORIE ROSSELL ORTEGA**, venezolana, mayor de edad, hábil en derecho, titular de la cédula de identidad N° 12.606.141 y seguidamente expone: "Consigo en este acto fotografías tomadas en la Inspección Judicial para la cual fui designada Práctico-Fotógrafo". Es todo, terminó, se leyó y conforme firman.

La diligenciante

El Secretario
Cámpora como ha sido la presente solicitud se devueltín constante
de ( 11 ) faclos útiles, hoy tres de octubre del dos mil.

EL SCRIBIERTO,

[Signature]

Año del año 2001
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): MIGUEL ANGEL COLMENARES

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day: 27, Month: September, Year: 2000

DATE RETURNED: Day: , Month: , Year: 

No. 3384

C 22
STATE OF CARABOBO
(Seal)

Citizen:

FOURTH JUDGE FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

In his office,

I, MIGUEL ANGEL COLMENARES, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,067,502, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,705, for legal purposes that are of interest to BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, registered in the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,492 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, and thus dispense with the distribution requirement, for the Court to be transferred to and called into session at the address of which I will advise you in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence of a vehicle at the location at which the Court is in session: Make: Ford, and the model, type, color and plates as evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has a tire fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.
FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle’s bodywork.

As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 quoadem, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, in Valencia, on the date of the filing hereof.

(Signed - illegible)

(hand written:) FILED ON SEPTEMBER 27, 2000
ON ONE (1) SHEET OF PAPER AND NO EXHIBIT
12:00 p.m.

(Signed) (Illegible)
(Slam)

REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO
STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp – Value: 148 Bolivars

FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR,
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE
STATE OF CARABOBO.

Valencia, September 27, 2000
189th year of Independence and 141st Year of the Federation

This petition has been received. It is ordered that the distribution [requirement] be waived as the
emergency nature of the case has been stated under oath. It is ordered that the necessary time be
set aside. It is ordered that it be admitted. It is ordered that the Court be transferred and called
into session at the location indicated in this petition, in order to conduct the requested JUDICIAL
INSPECTION.

PROVISIONAL JUDGE
(Signed) (Illegible)
DR. RAFAEL E. CASTILLO HENRIQUEZ
(Stamp)

REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF
VALENCIA, LIBERTADOR
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

ACTING CLERK:
(Signed) (Illegible)

ATTORNEY JOSE LUIS SANZ PACHECO

Admitted on this date under No. _____

ACTING CLERK:
(Signed) (Illegible)
(Stamp – Illegible)

(Hand written) –41–
At 2:50 p.m. today, the twenty-seventh day of September, in the year two thousand, after setting aside all the time needed, the Court was transferred to and called into session at Warehouses Nos. 3, 4, 5 and 6 in the Los Cerrales Shopping Center in the La Florida District, at which the mechanic’s shop, Primer Auto, does business, in the Municipality of Libertador in this City of Valencia, in order to conduct the Judicial Inspection requested by attorney Miguel Angel Colmenares, Venezuelan Bar No. 30,705, who was present at this Inspection. For the best advice on and illustration of the performance of this Judicial Inspection, the Court appointed Citizen David Goncalves as the expert, and Citizen, Xiomara Barrios Garcia, as the expert photographer, both being citizens of Venezuela, of age, and holders of Identity Cards Nos. V-11,089,574 and 13,234,607 respectively; they were present, accepted the task, were sworn in as provided by law and swore under oath that they would faithfully fulfill their obligations. The expert photographer then proceeded to take the photographs with a camera that she handed to the Court for its examination. Make: ......

(Two partial stamps in left margin – illegible)
636 Close up Polaroid, which photographs were added to this inspection, having been first certified, as so to form part of same. The Court then proceeded to conduct the requested Judicial Inspection and, with advice from the expert, stated for the record as follows: Item ONE: The Court stated for the record that it was called into session at the Primer Auto mechanic’s shop in Warehouses 3, 4, 5 and 6, in the Los Corales Shopping Center in the La Florida District, in the Municipality of Liberdador in this City of Valencia, where there was a vehicle Make: Ford, model: Explorer, type: 4x2, color: blue, year: 97, plates: GAO-414. Item TWO: The Court stated for the record that the vehicle described above has four (4) tires mounted one on each of its rims. Item THREE: Upon advice from the expert, the Court stated for the record that the four (4) tires fitted one on each rim of the inspected vehicle were, make: Goodyear, type: Wrangler RT/S LT235/75R-15, serial number DOT PBHL2AC43100. Item FOUR: Upon advice from the expert at this inspection, the Court stated for the record that the treads on the tires on the vehicle were in good condition, as were the tires.
It was noted that the left front tire was flat. Item FIVE: The Court ordered photographs to be taken of each of the tires mounted on each of the inspected vehicle's rims with the camera described above, and it ordered they be added to this inspection, so as to form a part thereof. Item SIX: The Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle with the camera described above, which photographs will be added to this inspection. Item SEVEN: Upon advice from the expert, the Court stated for the record that the bodywork of the vehicle was dented and misaligned throughout, the roof had caved in on the front left and the windshield was shattered. At this point, the Petitioner identified above intervened and stated: I ask the Court to state the vehicle's mileage for the record, and I also ask that it state.......

(Hand written) Four (4)
CA – 98 No. 04418046

(Seal)
STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp – Value: 148 Bolivars

(Three partial stamps on left margin – illegible)
for the record the make, type, serial number and condition of the spare tire, and also the state of its tread. The Court agreed and as requested, it stated for the record that the mileage of the inspected vehicle was 102,956 kilometers. It also stated for the record that the spare tire was a Goodyear, type: Wrangler RT/S LT235/75R-15, serial number DOT PBHL2AC43100, and it was in perfect condition, as was its tread. At this point, citizen Darvis Rosales, holder of Identity Card No. V-7,956,836, in his capacity as a salesman at the Mechanic's workshop at which the Court was called into session, appeared and stated to the Court that the reason the above-described vehicle was brought into said shop was due to a rollover. The Court concluded its mission and decided to return to the Courthouse. That is all.

Completed, read and signed by the undersigned, who are in agreement therewith.

THE PROVISIONAL JUDGE
(Signed) Illegible

Dr. Rafael E. Castillo H.

(Stamp)

REPUBLIC OF VENEZUELA

FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR

(Seal)

LOS GUAYOS, NAGUANAGUA AND SAN DIEGO

JUDICIAL DISTRICT OF THE STATE OF CARABOBO
(two partial stamps in left margin — illegible)

(Hand written) Five (5)
CA - 98 No. 0415047

(Seal)
STATE OF CARABOBO
(Coat of Arms
Fee for Fiscal Stamp - Value: 148 Bolivars

The Petitioner
(Signed) (illegible)

The Expert
(Signed) David Goncalves

The Photographer
(Signed) Xiomara Barrios G.

Acting Clerk
(Signed) (illegible)

(Stamp)
(illegible)
(Seal)

(Hand written) —43—
This petition, having been complied with, consisting of (10) sheets of paper, is returned today, the third of October, two thousand.

CLERK,

(Signed) (illegible)

ATTORNEY JOSE LUIS SANZ

(partial stamp—illegible)
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3384, dated September 27, 2000, concerning an inspection of the Ford Explorer with plates numbered GAO-41C, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 29th day of January, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: /-/-03
STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp – Value: 148 Bolivars

CA 98 - No. 04214554

Citizen:

FOURTH JUDGE FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS,
NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF
CARABOBO

In his office

I, MIGUEL ANGEL COLMENARES, a citizen of Venezuela, of age, domiciled in Valencia, State of
Carabobo, holder of identity card No. 7,067,502, a practicing attorney, registered with the Venezuelan
Bar Association (“INPREABOGADO”) under No. 30,705, for legal purposes that are of interest to
BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A.
FIRESTONE VENEZOLANA, registered with the Companies Register that was maintained by the
Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State
of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being
assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General
Shareholders’ Meeting, recorded in the First Companies Register in and for the Judicial District of the
State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you
and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,492
of the Civil Code, I swear that this case is an emergency, and I would ask that this Honorable Court set
aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and
called into session at the address which I will give it in due course, in order to have the following items
placed on the record by means of a Judicial Inspection:

ONE: As to the presence, at the location at which the Court is called into session of a vehicle. Make:
Ford, and the Model, Type, Color and Plates as evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has a tire fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected
vehicle.
(Back of Page One)

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That the general condition of the vehicle's bodywork be put on the record.

As to any other fact or circumstance, that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 of same, I request that photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been dealt with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed – illegible)

(hand written) FILED ON SEPTEMBER 28, 2000
ON ONE (1) SHEET OF PAPER AND NO EXHIBIT
No.

9:00 a.m.

(Signed) (Illegible)
September 28, 2000

REPUBLIC OF ....
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

(Hand written) 3392

(The back of this page has one round stamp in the center):
\ldots VENEZUELA
(Seal)
(Illigible)
STATE OF CARABOBO
(Coat of Arms)
Fee for Fiscal Stamp – Value: 148 Bolivars

At 4:15 p.m. today, the twenty-eighth day of September, in the year two thousand, after setting aside all the time needed, the Court was transferred to and called into session at the premises of Transporte Charro, C.A., located in the La Lagunita District in the Municipality of Libertador in the State of Carabobo, in this City of Valencia, in order to conduct the Judicial Inspection requested by attorney Miguel Angel Colmenares, Venezuelan Bar No. 30,705 who was present at this Inspection. Citizen Raquel Maria Sanchez de Federico, the widow of Citizen Salogero Federico Moseasella (who was the owner of the Inspected Vehicle, according to Vehicle Registration Certificate No. 2040749), a citizen of Venezuela, of age, holder of Identity Card No. V.5.386.483. For the best advice on and illustration of the performance of this Judicial Inspection, the Court appointed Citizen ...............

(Hand written) -41-
Xiomara Barrios García as the Expert Photographer and Citizen David Gonzalves as the Expert Mechanic, both being citizens of Venezuela, of age, and holders of Identity Cards Nos. V-13,234,607 and 11,089,574 respectively; they were present, accepted the assignment, were sworn in as provided by law and stated under oath that they would faithfully fulfill their obligations. The Expert Photographer then proceeded to take the photographs with a camera that she submitted to the Court for its examination, being a 636 Polaroid Close Up; the photographs were added to this Judicial Inspection upon first being certified, in order to form part of same. The Court then proceeded to conduct the requested Judicial Inspection and, upon the advice from the expert, it stated for the record as follows: Item ONE: The Court stated for the record that it was called to order on the premises of Transporte Charro, C.A., located in the La Lagunita District, Municipality of Libertador, State of Carabobo in this City of Valencia," where there was a vehicle Make: Ford, Model: Explorer 4x4, Model: Elite XLT, 6 Cylinder, year 98, Color: Blue
and gray, plates: GAS-11H". **Item TWO:** The Court, upon the advice of the expert, stated for the record that the inspected vehicle was fitted with three (3) tires, one on each respective rim", which were in good condition, as was their tread; on one of the wheels, there was no rim or tire, which was off to the front left part [of the vehicle] together with the spare tire". **Item THREE:** Upon advice from the expert, the Court stated for the record that three tires fitted on the respective rims of the inspected vehicle were, Make: Goodyear, type: Wrangler RT/S P255/70R-16, serial number DOT PBHL2AC43100. The Court also stated for the record that the two (2) tires to the front left part of the vehicle (not mounted) were Make: Goodyear, Type: Wrangler RT/S PB255/70R-16, serial number DOT PBHL2AC43100". **Item FOUR:** ...
Upon advice from the expert mechanic for this inspection, the Court stated for the record that the tread on the tires on the vehicle was in good condition, as were the tires. **Item FIVE:** The Court ordered photographs to be taken of each of the tires fitted on each rim of the inspected vehicle, and also the two (2) tires that were to the front left of the inspected vehicle with the camera described above, and it ordered these to be added to this inspection in order to form part of same". **Item SIX:** The Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle with the camera described above, and it ordered that these photographs be added to this inspection". **Item SEVEN:** Upon advice from the expert, the Court stated for the record that the vehicle's bodywork had generalized misalignment and there were dents on the front left side, the windshield was broken and........
had come away slightly, the rear mudguard had come slightly loose. At this point, the petitioner identified above intervened and stated: "I ask the Court to state the vehicle's mileage for the record, and I also ask that it state for the record the Make, Type, serial number and condition of the spare tire, and also the state of its tread. The Court agreed and as requested, it stated for the record that the mileage of the inspected vehicle was 76,323 kilometers. It also stated for the record that the spare tire was: Make: Goodyear, Type: Wrangler RT/S PB255/70R-16, serial number DOT PBHL2AC43100, and it was in perfect condition, as was its tread. At that point, Raquel María Sánchez de Federico, the subpoenaed party identified above, stated to the Court that the reason for the accident was...........

(Hand written) -41-
a rollover".-- The Court ordered photographs to be taken of the spare tire and agreed to add them to this Inspection, in order to form a part thereof. The Court adjourned its mission and returned to the courthouse. That is all. Completed, read and signed by the undersigned, who are in agreement therewith.

The Provisional Judge,
(Signed) (Illegible)
Dr. Rafael E. Castillo H.

The Petitioner,
(Signed) (Illegible)

The Subpoenaed Party,
(Signed - Raquel De Federico)

The Expert,
(Signed - David Goncalves)

The Photographer,
(Signed - Xiomara Barrios G.)

Acting Clerk,
(Signed) (Illegible)

(Hand written) --41--
This petition, consisting of (10) sheets of paper, having been complied with, is returned today, the third day of October, two thousand

CLERK,
(stamp – illegible) (Signed) (illegible)
ATTORNEY JOSE LUIS SANZ

(Three partial stamps down right margin – illegible)
Certificate of Accuracy

STATE OF FLORIDA )
) SS
COUNTY OF MIAMI-DADE )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3992, dated September 28, 2000, concerning an inspection of the Ford Explorer with plates numbered GAS-11H, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification, or having shown satisfactory evidence of identification.

The foregoing instrument was acknowledged to and before me this 25th day of January, 2001.

Maury Margaret Scharrer
Notary Public
State of Florida

My commission No. CC932436 expires on August 24, 2004
REPÚBLICA DE VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): MIGUEL ANGEL COLMENARES

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day: 28 Month: September Year: 2000

DATE RETURNED: Day: ______ Month: __________ Year: __________
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(S): MIGUEL ANGEL CAJIMARES

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: CUARTO DE MINISTERIO

FECHA DE ENTRADA: Día 28 Mes 05 Año 2000

FECHA DEVOLUCIÓN: Día Mes Año

C-25
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBO

Su Despacho

Yo, MIGUEL ANGEL COLMENARES, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.067.502, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N° 30.705, para fines legales que interesan a BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veinticinco (25) de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente pongo en

expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvien el requisito de la distribución, con el fin de que el Tribunal se trate, y consigna en la dirección que oportunamente le señale, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford y del Modelo, Tipo, Color y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.
28 de septiembre del 2000.
Ampliado como ha sido la presente solicitud se devuelve constante de (10) folios útiles, hoy tres de octubre del dos mil.-

EL SECRETARIO

[Signature]

[Name]
1028

REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): ARACELIS URDANETA

REASON: JUDICIAL INSPECTION

COURT: FOURTH MUNICIPAL COURT

DATE OF ENTRY: Day: 28 Month: September Year: 2000

DATE RETURNED: Day: Month: Year:

No. 3393

C.22
STATE OF CARABOBO

(Seal)

FOURTH JUDGE FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

In his office

I, ARACELIS URDANETA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. 7,082,174, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,766, acting on my own behalf and for legal purposes that are of interest to me, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,492 of the Civil Code, I swear that this case is an emergency, and I would ask that this Honorable Court waive the distribution requirement and set aside the necessary time for the Court to be transferred to and called into session at the address of which I will advise you in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence of a vehicle at the location at which the Court is in session: Make: Ford, and the model, type, color and plate as evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has the respective tire fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle’s bodywork.
As to any other fact or circumstances that I reserve the right to indicate in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502, eivisem, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been compiled with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in Valencia, on the date of the filing hereof.

(Signed - illegible)

(Hand written)

FILED ON SEPTEMBER 28, 2000
ON ONE (1) SHEET OF PAPER AND NO EXHIBIT
AMENDMENTS: NO

TIME: 9:00 a.m.

(Signed) (Illegible)
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS QUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

Valencia, September 28, 2006
189th Year of Independence and 141st year of the Federation

This petition has been received. It is ordered that it be admitted. It is ordered that a file be opened. It is ordered that the necessary time be set aside and that the Court be transferred and called into session at the location indicated in this petition, for purposes of conducting the requested Judicial Inspection.

(Signature - Illegible)
PROVISIONAL JUDGE
(Signature - Illegible)

DR. RAFAEL E. CASTILLO H.

(Signature - Illegible)
CLERK
ATTORNEY JOSE LUIS SANZ

Compiled with as ordered, this same day, logged in under No. 3393.

THE CLERK
(Signature - Illegible)

(Illegible stamp)

-9-

[Back of Page Two (2) only
has three illegible stamps]
At 5:00 p.m. today, the twenty-eighth day of September, in the year two thousand, after setting aside all the time needed, the Court was transferred to and called to session at the premises of Transporte Charro, C.A. located in the La Lagunita District in the Municipality of Libertador in the State of Carabobo, in this City of Valencia, in order to conduct the Judicial Inspection requested by attorney Araceli Urdaneta, Venezuelan Bar No. 30,706 who was present at this Inspection. Citizen Raquel María Sánchez de Federico, a citizen of Venezuela, of age, holder of Identity Card No. V-5,386,483, the widow of Citizen Calogero Federico Mocarela (who was the owner of the Inspected Vehicle, according to Vehicle Registration Certificate No. 2040749), was served with a subpoena regarding the Court's mission. For the best advice on and illustration of the performance of this Judicial Inspection, the Court appointed Citizen ............

(Hand written) -42-
Xiomara Barrios Garcia as the Expert Photographer and Citizen David Goncalves as the Expert (Mechanic), both being citizens of Venezuela, of age, and holders of Identity Cards Nos. V-13,234,607 and 11,089,574 respectively; they were present, accepted the assignment, were sworn in as provided by law and stated under oath that they would faithfully fulfill their obligations.

The Expert Photographer then proceeded to take the photographs with a camera that she submitted to the Court for its examination, being a Polaroid 636 Close Up; the photographs were added to this Judicial Inspection after being certified, as so to form part of same. The Court then proceeded to conduct the requested Judicial Inspection and, upon the advice of the expert, it stated for the record as follows: Item ONE: The Court stated for the record that it was called into session at the premises of Transporte Charro, C.A., located in the La Lagunita District, Municipality of Libertador, State of Carabobo in this City of Valencia," where there was...
a vehicle Make: Ford, Model: Explorer 4x4, Model: Elite XLT, 6 Cylinder, year, 98, Color: Blue and gray, plates: GAS-11H.  

Item TWO: The Court, upon the advice of the expert, stated for the record that the inspected vehicle was fitted with three (3) tires, one on each respective rim, which were in good condition, as was their tread, there was no rim or tire on one of the wheels; these was outside to the front left together with the spare tire. -  

Item THREE: Upon advice from the expert, the Court stated for the record that three tires fitted on the respective rims of the inspected vehicle were, Make: Goodyear, type: Wrangler RT/S P255/70R-16, serial number DOT PBHL2AC43100. The Court also stated for the record that the two (2) tires that were located......
to the front left of the vehicle (not mounted) were Make: Goodyear, Type: Wrangler RT/S PB255/70R-16, serial number DOT PBHL2AC43100".- **Item FOUR:** Upon advice from the expert for this inspection, the Court stated for the record that the tread on the tires on the vehicle was in good condition, as were the tires.- **Item FIVE:** The Court ordered photographs to be taken, with the camera described above, of each of the tires fitted on each rim of the inspected vehicle, and also the two (2) tires that were to the front left of the inspected vehicle, and it ordered these to be added to this inspection so as to form part of same".- **Item SIX:** The Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle with the camera described above, and it ordered these photographs to be added to this Inspection".-
Item SEVEN:  Upon advice from the expert, the Court stated for the record that the vehicle’s bodywork was generally misaligned and the front left side was dented, the windshields were broken and had come away slightly, the rear mudguard had come slightly loose.  At this point, the petitioner identified above intervened and stated:  “I ask the Court to state the vehicle’s mileage for the record, and I also ask that it state for the record the make, type, serial number and condition of the spare tire, and also the state of its tread.  The Court agreed to her request, and stated for the record that the mileage of the inspected vehicle was 76,323 kilometers; it also stated for the record that the spare tire was:  Make: Goodyear, Type: Wrangler RT/S PB255/70R-16, ...."
serial number DOT PBHL2AC43100, it was in perfect condition, as was its tread. The Court ordered a photograph to be taken of the spare tire and ordered it to be attached to this inspection so as to form a part thereof. At this point, the subpoenaed party identified above, Raquel Maria Sánchez de Féderico, stated to the Court that the accident was due to a rollover. The Court concluded its mission and returned to the courthouse. That is all. Completed, read and signed by the undersigned, who are in agreement therewith.

THE PROVISIONAL JUDGE,
(Signed) (Illegible)
Dr. Rafael E. Castillo H.
(Stamp - illegible)

Petitioner,
(signed) (Illegible)

The Photographer,
(Signed) Xiomara Barrios G.

The Expert,
(Signed) David Goncalves

The Subpoenaed party,
(Signed) Raquel De Federico

Acting Clerk,
(Signed) (Illegible)

(Hand written) -42-
This petition, consisting of (9) sheets of paper, having been complied with, is returned today, the third of October, two thousand.-

Clerk,

(Signed) (illegible)

ATTORNEY JOSE LUIS SANZ
Certificate of Accuracy

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

1, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English of the Judicial Inspection, No. 5893, dated September 28, 2000, concerning an inspection of the Ford Explorer with plates numbered GAS-11H, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES
ARCHIVO

SOLICITANTE(S): ARACELIS URDANEZA

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: CUARTO DE MUNICIPIO

FECHA DE ENTRADA: Día 28 Mes 09 Año 2000

FECHA DEVOLUCION: Día Mes Año

G - 22
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAQUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION

JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, ARACELIS URDANETA, venezolana, mayor de edad, domiciliada en
Valencia, Estado Carabobo, titular de la cédula de identidad Nº 7.082.174,
abogado en ejercicio, inscrita en el INPREABOGADO bajo el Nº 30.706,
 actuando en mi propio nombre y para fines legales que me interesan, ante usted
respesosamente ocurre y espongo: De conformidad con los artículos 192, 936 y
938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia
 del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y
 en consecuencia se obve el requisito de la distribución, con el fin de que el
 Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a
 fin de dejar constancia por vía de Inspección Judicial, de los particulares
 siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el
Tribunal, de un vehículo: Marca: Ford y del Modelo, Tipo, Color y Placas, que
presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado
en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en
cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de
los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno
de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se
encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la
carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su
debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento
Civil, en concordancia con lo previsto en el artículo 502 cuadruplicem, se ordene la
reproducción fotográfica de los hechos anteriormente especificados y de cualquier
otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha
inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un
práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las
referidas fotografías fueron realizadas en su presencia, y que son reproducciones
fieles y exactas de los hechos evidenciados en la presente inspección judicial, para
lo cual solicito expresamente que dichas fotografías sean agregadas a esta
Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en
original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su
presentación.

[Signature]

[Signature]
carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 473 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 302, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.

[Signature]
28 de Septiembre del 2000

[Signatures]

[Handwritten text]

[Signature]
1047
Acudiría nuevamente camino...

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dos vehículos que se encontraban...
REPUBLIC OF VENEZUELA
(Coat of Arms)
JUDICIAL BRANCH
CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): ATTORNEY ARCELS URDANETA NAVAS

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITIES OF SAN CARLOS AND ROMULO

GALLEGOS COJEDES

DATE OF ENTRY: Day: ___ 16 Month: ___ 10 Year: ___ 2000

DATE RETURNED: Day: _______________ Month: _______________ Year: _______________
STATE OF CARABOBO
(Court of Appeals)

Fee for Fiscal Stamp - Value: 14 Bolivars

CA 98 – No. 04418038

Citizen

JUDGE IN AND FOR THE MUNICIPALITIES OF SAN CARLOS AND ROMULO GALLEGOS IN THE JUDICIAL DISTRICT OF THE STATE OF COJEDES

In his Office

J. ARACELIS URDANETA NAVIA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of Identity Card No. V-7,082,174, a practicing attorney, registered with the Venezuelan Bar Association under No. 50,706, appearing herein on behalf of BRIDGESTONE FIRESTONE VENEZOLANA, a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure and Article 1429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is in session of a vehicle: make: Ford, model: Explorer, and the type, color and plates as evidenced by the inspected vehicle. TWO: As to whether the vehicle identified above has four (4) tires mounted one on each of its rims. THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread. FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. SIX: That photographs be taken of the bodywork and condition of the inspected vehicle. SEVEN: That a statement be made on the record as to the general condition of the inspected vehicle's bodywork. As to any other fact or circumstances that I reserve the right to indicate in due course. Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 ejusdem, I request that the photographic reproduction be ordered of the items expressly specified above and any
other item that I expressly reserve the right to indicate at the time said Judicial Inspection takes place and that to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this Judicial Inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, on the date of the submission for filing hereof.

(Signed) (illegible)

[Handwritten] Received during office hours today, the sixteenth day of October, consisting of one (1) sheet of paper, filed by the signatory thereto. San Carlos, the sixteenth day of October, 2000.

Acting Clerk
(Signed) (illegible)

(REPUBLIC OF VENEZUELA
Court in and for the Municipalities of San Carlos and Romulo Gallegos
(Soal)
In the Judicial District of the State of Cojedes

FILING PARTY
(Signed) (illegible)

(Soal)
No. 15, October 16, 2000
(ILLEGIBLE)
(Hand written) Two (2)

(Partially legible stamp):
REPUBLIC OF VENEZUELA
...San Carlos
(Seal)
in the Judicial District of the State of Cojedes

COURT IN AND FOR THE MUNICIPALITIES OF SAN CARLOS AND ROMULO GALLEGOS IN
THE JUDICIAL DISTRICT OF THE STATE OF COJEDAS.

San Carlos, October 16, 2000

190th Year of Independence and 141st Year of the Federation

Having reviewed the foregoing petition, it is ordered that it be admitted and the petition is agreed to. Therefore, as requested, it is ordered that all of the time needed for this inspection be set aside. It is ordered that the requested Judicial Inspection be conducted and to this end, the Court is ordered to be transferred and called into session at the location that the petitioner will indicate prior thereto. - It is ordered that the original be returned together with the results thereof.

PROVISIONAL JUDGE
(Signed) (Illegible)
(Stamp - illegible)

Acting Clerk
(Signed) (Illegible)

(Stamp)
No. 16 October 16, 2000 JM
(Illegible)

(Back of Page Two)
(Three illegible stamps down the right margin)
(partial stamp):
...Court in and for the Municipalities
(Seal)
...in the Judicial District of the State of Cojedes
At 2:45 p.m. today, the sixteenth day of October, two thousand, having first set aside the time needed, since the case was stated under oath to be an emergency, the Court was transferred and set up at the premises at No. 19-123, Avenida de los Estados in the Altavista District of this City of San Carlos, State of Cojedes, as indicated by the petitioner, in order to conduct the Judicial Inspection ordered in the foregoing pleading. Present at the inspection was citizen, LuviaJosefina Rodriguez, a citizen of Venezuela, of age, holder of identity card No. 4,097,355, a housewife, married and domiciled in this City, who was served with a subpoena with regard to the Court's mission. The Court then proceeded to appoint David Gonzales, a citizen of Venezuela, of age, holder of identity card No. 11,089,574, a mechanic, domiciled in Valencia, in the State of Carabobo, and here in transit, as the expert to advise the Court on conducting its mission, and citizen, Marcelino Andreyo, a citizen of Venezuela, of age....
holder of identity card No. 342,309 and domiciled in this city, as the expert photographer; both being present, they accepted the jobs as the expert mechanic and the expert photographer respectively, and were sworn in as provided by law. At this point, the Court stated for the record that the camera used for this inspection has the following characteristics: make: POLAROID 636 Close Up. The Court then ordered the expert photographer, who had been appointed, to take the pertinent photographs, so that they could be added to the record. The Court then went on to conduct the Judicial Inspection that had been requested and ordered and made a statement on the record as to the following items, tracking the items in the petition. Item No. ONE. With regard to this item, the Court stated for the record that it was set up on the premises at No. 19-123 located in the Altagracia District on Avenida de los Estadios .......
in this City of San Carlos, State ofCojedes, where there was a vehicle, make: Ford, model: Explorer XLT, type: 4x4, color: two tone green, year: 1996, plates: KAD-500.

Item No. TWO: With regard to this item, the Court stated for the record that the vehicle described above had four (4) tires mounted one on each of its rims.

Item No. THREE: With regard to this item, the Court, being duly advised by the expert mechanic who had been appointed, stated for the record that the four (4) tires mounted one on each of the rims on the inspected vehicle were: make: Goodyear, type: LT 235/75R-15, the serial number of the right front tire was: DOT PBHL 2ACA 2800; on the front left tire: DOT PBHL 2ACA 2800; on the rear left tire, serial number: DOT PBHL 2ACA 2800 and on the rear right tire, serial No . DOT PBHL 2ACA 2800; furthermore, the Court stated for the record with the advise of the expert, that the tires were Goodyear Wrangler RT/S LT 235/75R15. Item No. FOUR: With......
regard to this item, the Court, upon advice from the expert, stated for the record that the general condition of each of the tires and also their tread was good. Item No. FIVE: With regard to this item, the Court agreed to the request and ordered the expert photographer who had been appointed to take photographs of each of the tires mounted on each of the rims of the inspected vehicle with the camera described above, so as to be added to the record. The expert photographer appointed then proceeded to take the photographs ordered in this item. Item No. SIX: With regard to this item, the Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle with the camera described above, and that the photographs be added to this Inspection. Item No. SEVEN: With regard to this item, the Court, upon the advice of the expert, ......
stated for the record that the vehicle was generally misaligned, the hood and roof were caved in, the sides were misaligned and dented, the windshield was shattered, the front end was misaligned. At this point, the petitioning attorney, Araelia Urdaneta Navas, stated: "I would ask the Court to state the mileage on the vehicle for the record and I would also ask it to state for the record the make, type, serial number and condition of the spare tire and also the state of the tread on same. At this point, the Court acted pursuant to these requests and consequently, with regard to the first request, it stated for the record, upon advice from the expert who had been appointed, that the mileage was eighty-two thousand five hundred and twenty-six kilometers (82,526 Kms.). Likewise, with regard to the second request, upon advice from the expert, it stated for the record that the spare tire was: make: Goodyear, type: Wrangler RT/S LT 235/75R-15,...
serial number DOT FBHL 2ACA 2800; he also requested that a statement be placed on the record that this tire proved to be in perfect condition as was its tread. Lastly, he asked the Court to place a statement on the record, upon advice from the expert, as to the state of the power steering box and it was ordered that photographs be taken of same so that they could be added to the record. The Court then agreed to the request and consequently, upon advice from the appointed expert, it stated for the record that the steering box was cracked in the center. At this point, citizen, Leova Josefina de Rodriguez, being present, who was shown, as the owner of the Inspected Vehicle whose Vehicle Registration Certificate No. 1086208, stated: "I was driving from the City of San Carlos to Valencia in the Inspected Vehicle near the town
of Tinaquillo, State of Cojedes when I tried to avoid a hole or pothole in the road, the truck did not respond to the maneuver and then rolled over; moreover, the subpoenaed party identified above stated for the specific record that the tires that were fitted, and also the spare tire for the Inspected Vehicle had been installed about sixty (60) days ago. Having fulfilled the purpose of the transfer, the Court agreed to return to the Courthouse at 4 p.m. Completed, read and signed by the undersigned who are in agreement therewith.

Provisional Judge,  
(Signed) (Illegible)  
(Stamp - Illegible)

Petitioner,  
(Signed) (Illegible)

Expert Photographer,  
(Signed) (Illegible)

(The subpoenaed party,  
(Signed) (Illegible) Rodriguez)

(The Expert,  
(Signed) David Goncalves)

(Stamp - Illegible)  
No. 17 – October 16, 2000

Acting Clerk,  
(Signed) (Illegible)

(Back of Page Nine)  
Returned on this same day, consisting of twelve (12) sheets of paper.

Acting Clerk,  
(Signed) (Illegible)

(Illegible stamps down right margin and diagonally down the page)
Certificate of Accuracy

STATE OF FLORIDA       )
COUNTY OF MIAMI-DADE   ) SS

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 1770, dated October 16, 2000, concerning an inspection of the Ford Explorer with plates numbered KAD-50P, is accurate, true and complete, to the best of my knowledge, ability and belief.

____________________
Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

____________________
Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

No: 1770

Soliciitante(s): Abogado ARACELIS URDANETA NAVAS

Motivo: INSPECCION JUDICIAL

Juzgado: DE LOS MUNICIPIOS SAN CARLOS Y ROMULO GALLEGOS OLIVÉS

Fecha Entrada: Día 16 Mes 30 Año 2000

Fecha Devolución: Día __________________________ Mes __________________________ Año __________________________
CA - 98  No 04415035

1069

Cdad.

JUEZ DE LOS MUNICIPIOS SAN CARLOS Y ROYOLO CALLEDOS DE LA Circuns.

PRESIÓN JUDICIAL DEL ESTADO CUBIERTA

Su Despacho.

Ye. ARACELIS URBANETA NAVA, venezolana, mayor de edad, domiciliada en Valencia.

Estado Carabobo, titular de la Cédula de Identidad No V-762174, abogada en ejercicio, inscrita en el INPREBAGODO bajo el No 39.726, ante usted respectivamente ocurrió y expiego:

De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, jura la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvi, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalare, a fin de de

constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo,

Marca: Ford, Modelo: Explorer, y los rieles de pasaje, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rieles. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rieles del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos, instalados en cada uno de los rieles del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rieles del vehículo inspeccionado. SEXTO: Se tomen fotografías de la carretera y las condiciones en que se encuentra el vehículo inspeccionado. SEPTIMO: Se dé constancia de las condiciones generales en que se encuentra la carretera del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 477 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 quater, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproducciones fieles y exactas de los hechos.
evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sean devueltos en original junto con sus resultados. Es gracia que espero en la fecha de su presentación.

[Signature]

Reconociendo en el día de hoy, directamente de los actos en curso, de declarar que un (1) folio con presentación por no presentar, firmado por el interesado de los anteriores hechos.

[Signature]

[Seal]

[Signature]
---GADO DE LOS MUNICIPIOS SAN CARLOS Y ROMULO GALLEGOS DE LA CIRCUNScriPCiÓN JUDICIAL DEL ESTADO COORDOS.-
San Carlos, 16 de Octubre del 2.000.-

Vista la anterior solicitud.- Adítase y se acuerda de conformidad.- En consecuencia, conforme está solicitado se habilita todo el tiempo que sea necesario para este acto.- Practíquese la inspección Judicial solicitada y a tales fines se ordena el traslado y constitución del Tribunal en el lugar que previamente se indique la parte solicitante.- Devuélvase original con sus resultados.-

El Juez Temporal,

La Secretaría Accidental,
el día de jueves, se enceñó de catasqués de los oídos, procedió la 19 de 45 D. a poner la facultación del tiempo necesario juzgada como le cedió la urgencia del caso, el Tribunal de Justicia y constó turno en el número de 2975, y más en la Visitación Judicial, informando de la Estación, de esta ciudad de su escaño, estación de la, indicando en la presencia, en su acta de yace, por la Magistratura Judicial dictada en el acto anterior. Requiere en cito acto, la ciudadanía como caución de Rodrigo, conocimiento, cuyo de edad, titular de la sedes de la ciudad de 4097 295, Pájaro del figueo, para de y de este tuvieron, que se dispuso de la causa del Tribunal - seguido nuevamente del Tribunal - gremio a causa de que se dispuso de que se dispusiera al Tribunal en la juzgada de la causa en la ciudadanía. Bandera, conocimiento, cuyo de edad, titular de la sedes de 2975, 2974, cuyo escaño, localizado en el número 2975, cuyo escaño, localizado en el número, cuyo de edad, cuyo escaño, localizado en el número.
Quinto: En relación a este particular, el Tribunal acuerda de conformidad con lo presentado y a petición del interesado designar - tanto fotografías a cada uno de los procesados, intercalados en cada uno de los autos del vehículo, proveyendo en el caso de que se hubiera recibido cuenta a la fiesta de su apoderado a la autoridad, de este modo el auto se entregará en la forma y debiendo ser remitida en el paquete procesado. Sexto: En relación a este particular, el Tribunal acuerda que las trámites de fotografía de la causa sean resueltos en el orden correspondiente y se remita el paquete correspondiente.
Veo que la propiedad del vehículo presente descarregado, humo, fuego, el coche fue descarrilado y quemado, fue una noticia referente para su decreto. En este estado fue transmitido al oficial de la policía del tribunal. Deje el conocimiento de kilómetros que se presenta el vehículo a igualmente el dato de la destrucción de la carretera, fue, crítico operado que existe al otro lado del cartón que cree el estado de la banca de asentamiento de los especios. En este estado el tribunal esté de conformidad el vehículo fue presentado en consecuencia de la constancia en consideración al presente. Fue conocimiento del departamento y en consecuencia del presente del departamento que se consideró de 82526 kilómetros. Debe estar a 123.125 kilómetros de este kilómetro. Indeciso de la propiedad de la carretera de segundo yacimiento, con asemejamiento del patrón que el usuario de reporte se presentó. Se encontró en el coche de reporte.
puede el D.O.T. PB HL OACA 2800. Igualmente se debe considerar que el

causé su deserción en el .

estado, así como su buena de

riesgo. Por último, pidió al Taí

que deje de emplear el estado de

que se devengue al Capitán de la

Dirección los derechos y se acuerde

hacerlo primero de la carretera a la

pues de que entregada a la autoridad.

En este estado al Taí se hubiera de

considerar en la actitud y en

consideraciones, por lo que es en su

situación de que nueve se hubiera de

que se entregue al Capitán de la Dirección

pasiera una figura en el acto.

En este estado estaría pasando la

consideración de que toda

cuando figúe como consecuencia

del acto de deserción, como se

suspensión del contrato de

de la ciudad de tales casos a tal

hace una vez de la población

de la población.
- La misma fecha en archivo, consta en doc. 12 folio 81 del 17 de septiembre de 1957, libro 1, hoja 51. (Acc.)
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): ATTORNEY MIGUEL ANGEL COLMENARES MONCADA

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITIES OF SAN CARLOS AND ROMULO GALLEGO'S COJEDES

DATE OF ENTRY: Day: 16 Month: 10 Year: 2000

DATE RETURNED: Day: Month: Year: 

No. 1771

C.22
In his Office

I, MIGUEL ANGEL COLMENARES MONCADA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of Identity Card No. V-7,067,502, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,705, appearing herein on behalf of BRIDGESTONE FIRESTONE VENEZOLANA, CA., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General Shareholders’ Meeting recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure and Article 1429 of the Civil Code. I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

**ONE:** As to the presence at the location at which the Court is in session of a vehicle: make: Ford, model: Explorer, and the type, color and plates as evidenced by the inspected vehicle. **TWO:** As to whether the vehicle identified above has four (4) tires mounted one on each of its rims. **THREE:** As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. **FOUR:** As to the general condition of the tires installed on each rim of the inspected vehicle and their thread. **FIVE:** That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. **SIX:** That photographs be taken of the bodywork and condition of the inspected vehicle. **SEVEN:** That a statement be made on the record as to the general condition of the inspected vehicle’s bodywork.
As to any other fact or circumstances that I reserve the right to indicate in due course. Pursuant to Articles 472 and 473 of the Code of Civil Procedure, in agreement with the provisions of Article 502 e), I request that the photographic reproduction be ordered of the items expressly specified above and any other item that I expressly reserve the right to indicate as the time said Judicial Inspection takes place and that to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court [to state for the record] that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this Judicial Inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof.

Trusting in the Court's grace, on the date of the submission for filing hereof.

(Signed) (illegible)

(Handwritten)

[Handwritten] Received during office hours today, the sixteenth day of October, consisting of one (1) sheet of paper, filed by the signatory thereto.

Acting Clerk

(Signed) (illegible)

(Stamp)

REPUBLIC OF VENEZUELA
Court in and for the Municipalities of San Carlos
and Romulo Gallegos
(Seal)
in the Judicial District of the State of Cojedes

FILING PARTY

(Signed) (illegible)

(handwritten) JUDGE

(Stamp)
No 18, October 16, 2000
(ILLEGIBLE)

(firm logo) Le Carriere
(Hand written) Two (2)

(Three partial stamps in left margin— illegible)

COURT IN AND FOR THE MUNICIPALITIES OF SAN CARLOS AND ROMULO GALLEGOS IN THE JUDICIAL DISTRICT OF THE STATE OF COJEDES.

San Carlos, October 16, 2000

190th Year of Independence and 141st Year of the Federation

Having reviewed the foregoing petition, it is ordered that it be admitted and the petition is agreed to. Therefore, as requested, it is ordered that all of the time needed for this inspection be set aside. It is ordered that the requested judicial inspection be conducted and to this end, the Court is ordered to be transferred and called into session at the location that the petitioner will indicate prior thereto. It is ordered that the original be returned together with the results thereof.

PROVISIONAL JUDGE
(Signed) (Illegible)

(Stamp)
REPUBLIC OF VENEZUELA
Court in and for the Municipalities of San Carlos and Romulo Gallegos (Seal)
in the Judicial District of the State of Cojedes

Acting Clerk
(Signed) (Illegible)

(Stamp)
No. 19 October 16, 2000 J.M
(Illegible)
At 4:10 p.m. today, the sixteenth day of October, two thousand, having first set aside the time needed, since the case was stated under oath to be an emergency, the Court was transferred and set up at the premises at No. 19-123, Avenida de los Estados in the Altagracia District of this City of San Carlos. State of Cojedes, as indicated by the petitioner, in order to conduct the Judicial Inspection ordered in the foregoing pleading. Present at the inspection was citizen, Levia Josefini de Rodriguez, a citizen of Venezuela, of age, holder of identity card No. 4.097,395, a housewife, married and domiciled in this City, who was served with a subpoena with regard to the Court's mission. The Court then proceeded to appoint David Goncalves, a citizen of Venezuela, of age, holder of identity card No. 11.089,374, a mechanic, domiciled in...
Valencia and here in transit, as the expert to advise the Court on conducting its mission, and citizen, Marcelino Andrade, a citizen of Venezuela, of age, holder of identity card No. 342,309 and domiciled in this city, as the expert photographer, both being present, they accepted the jobs as the expert mechanic and the expert photographer respectively, and were sworn in as provided by law. At this point, the Court stated for the record that the camera used for this inspection has the following characteristics: make: POLAROID 636 Close Up. The Court then ordered the expert photographer, who had been appointed, to take the pertinent photographs, so that they could be added to the record. The Court then went on to conduct the Judicial Inspection that had been requested and ordered and made a statement on the record as to the following items, tracking the items in the petition: Item No. ONE. With regard to this item, the Court stated for the record.
that it was set up on the premises at No. 19-153 located in the Altgracia District on Avenida de los Estadios in this City of San Carlos, State of Cogodas, where there was a vehicle, make: Ford, model: Explorer XLT, type: 4x2, Color: two tone green, year: 1996, plates: KAD-50P. Item No. TWO: With regard to this item, the Court stated for the record that the vehicle described above had four (4) tires mounted one on each of its rims. Item No. THREE: With regard to this item, the Court, being duly advised by the expert mechanic who had been appointed, stated for the record that the four (4) tires mounted one on each of the rims on the inspected vehicle were: make: Goodyear, type: Wrangler K7/5 LT 235/75R-15, the serial number of the right front tire was: DOT PBHL 2ACA 2800; on the front left tire: DOT PBHL 2ACA 2800; on the rear left tire, serial number: DOT PBHL 2ACA 2800 and on the rear right tire, serial No: DOT PBHL 2ACA 2800.
Item No. FOUR: With regard to this item, the Court, upon advice from the expert, stated for the record that the general condition of each of the tires and also their tread was good. Item No. FIVE: With regard to this item, the Court agreed to the request and ordered the expert photographer who had been appointed to take photographs of each of the tires mounted on each of the rims of the inspected vehicle with the camera described above, so as to be added to the record. The expert photographer appointed then proceeded to take the photographs ordered in this item. Item No. SIX: With regard to this item, the Court ordered photographs to be taken of the bodywork and condition of the inspected vehicle with the camera...
(Hand written) seven (7)

(Two illegible stamps in left margin)
described above, and that the photographs be added to this Inspection. Item No. SEVEN. With regard to
this item, the Court, upon the advice of the expert, stated for the record that the vehicle was generally
misaligned, the hood and roof were caved in, the sides were misaligned and dented, the windshield was
shattered, the front end was misaligned. At this point, the testifying attorney, Miguel Angel
Colmenares, representing Bridgestone Firestone Venezolana, C.A., formerly known as C.A. Firestone
Venezolana, stated: "I would ask the Court to state the mileage on the vehicle for the record and I would
also ask it to state for the record the make, type, serial number and condition of the spare tire and also the
state of the tread on same. At this point, the Court acted pursuant
to these requests and consequently, with regard to the first request, it stated for the record, upon advice from the expert who had been appointed, that the mileage was eighty-two thousand five hundred and twenty-six kilometers (82,526 Kms.). With regard to the second request, upon advice from the expert, it stated for the record that the spare tire was: make: Goodyear, type: Wrangler RT/S LT 235/75R-15, serial number DOT PBHIL ZACA 2800; he also requested that a statement be placed on the record that this tire proved to be in perfect condition as was its tread. Lastly, he asked the Court to place a statement on the record, upon advice from the expert, as to the state of the power steering box and it was ordered that photographs be taken of same so that they could be added to the record. ...
The Court then agreed to the request and consequently, upon advice from the appointed expert, it stated for the record that the steering box was cracked in the center. At this point, citizen, Levisa Josefine de Rodriguez, being present, who was shown, as the owner of the Inspected Vehicle on Vehicle Registration Certificate No. 108628, stated: "I was driving from the City of San Carlos to Valencia in the Inspected Vehicle near the town of Tinaquillo, State of Cuyabes when I tried to avoid a hole or pothole in the road. The truck did not respond to the maneuver and then rolled over. Moreover, the subpoenaed party identified above ......."
stated for the record that the tires that were fitted, and also the spare tire for the Inspected Vehicle had been installed about sixty (60) days ago. Having fulfilled the purpose of the transfer, the Court agreed to return to the Courthouse at 5:30 p.m. Completed, read and signed by the undersigned who are in agreement therewith.

Provisional Judge,
(Signed) (Illegible)
(Stamp - Illegible)

Petitioner,
(Signed) (Illegible)

Expert Photographer,
(Signed) (Illegible)

No. 20 – October 16, 2000

The subpoenaed party,
(Signed) (Illegible) Rodriguez

The,
(Signed) David Goncalves

Acting Clerk,
(Signed) (Illegible)
Returned on this same day, consisting of thirteen (13) sheets of paper.

Acting Clerk,
(Signed) (illegible)

(Four stamps down page)
REPUBLIC OF VENEZUELA
Court in and for the Municipalities of San Carlos
and Romulo Gallegos
(Seal)
in the Judicial District of the State of Cojedes
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 1771, dated October 16, 2000, concerning an inspection of the Ford Explorer with plates numbered KAD-50P, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 29th day of January, 2001.

Elena Robledo
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

Solicitante(s): Abogado, MIGUEL ANGEL CORDERO DE LOS MONCADA

Motive: INSPECCION JUDICIAL

Juzgado: DE LOS MUNICIPIOS SAN CARLOS Y ROMULO GALLETOS COJURUS

Fecha Establecida: Día 16, Mes 10, Año 2000

Fecha Devolución: Día , Mes , Año
JUZGADO DE LOS MUNICIPIOS SAN CARLOS Y RÓMULO GALLEGOS DE LA CARIJO

 complexity: 2

COPRISIÓN JUDICIAL DEL ESTADO COJedes

Se Despacha.-

Yo, MIGUEL ANGEL COLMENARES MONCADA, venezolano, mayor de edad, domiciliado en

Valencia, Estado Carabobo, titular de la Cédula de Identidad No. V.760073, abogado en

ejercicio,

inscrito en el INPREABOGADO bajo el No. 30.753, procediendo en interés de BRIDGESTONE

FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE

VENEZOLANA, inscrita ante el Registro Mercantil que lleva el Juzgado Segundo de Primera

Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 21

de octubre de 1988, bajo el No. 1, cumplidas sus reformas en un solo cuerpo, según consta de Acta

de Asamblea General Extraordinaria de Accionistas, inscrita ante el Registro mercantil

Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el

No. 2, Tomo 8-A, ante quien respetuosamente ocurrí y espongo: De conformidad con los artículos

192, 936 y 938 del Código de Procedimiento Civil y 1029 del Código Civil, juro la verdad del

caso, solicitó la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia,

se obtuvo, el requisito de la distribución, con el fin de que el tribunal se trate y constituye en la

dirección que oportunamente se señalará, a fin de dejar constancia por vía de Inspección Judicial;

de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo

Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo a su vez identificado, tiene cuatro (4) cauchos instalados en cada uno de

sus ruedas. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno

de las ruedas del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos

instalados en cada uno de los ruedas del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los ruedas del

vehículo inspeccionado. SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se

encuentra el vehículo inspeccionado. SEPTIMO: Se deje constancia de las condiciones generales.
---GADO DE LOS MUNICIPIOS SAN CARLOS Y ROMULO GALLEGOS DE LA CIR
CUNSCRIPCIÓN JUDICIAL DEL ESTADO COQUIMBO.-
San Carlos, 16 de octubre del 2.000.-
1901 y 1912
Vista la anterior solicitud.- Adítúase y se acuerda de conformi-
dad. En consecuencia, conforme está solicitado se habilita todo
tiempo que sea necesario para este acto.- Practíquese la Ins-
pección Judicial solicitada y a tales fines se ordena el trasla-
do y constitución del Tribunal en el lugar que indique previa-
mente el solicitante.- Devuélvese original con sus resulta.-

[Signature]

La Secretaría accidental,

[Signature]

N° R 16-10-00
En el día de jueves, dieciséis de este mes de diciembre, a las 4 y 10 p.m., en la curia judicial de este distrito de este distrito, se dirigió la audiencia de la localidad de este distrito, en la que se presentaron los siguientes puntos:

1. Presentación de la solicitud de interrupción voluntaria del embarazo.
2. Presentación de la solicitud de matrimonio.
3. Presentación de la solicitud de división de bienes.

Finalizada la audiencia, se procedió a la respectiva firma de los documentos y la emisión de actas correspondientes.

Tras el acta, se procedió a la entrega de copia de los documentos a las partes interesadas.

Firmado: [Firma del Juez]

Fecha: [Fecha de la audiencia]
Lo en Valenica a aque de Trastamara, como ya se dijo, y al ciudadano, don Bernardo de leu, vecino de la ciudad de Valencia, de edad de 342 309 y de cuyo documento, como se ha dicho, que se ha citado de yaciente, declaró de que, en el lugar de Trastamara, se ha declarado el Testamento de don Bernardo, como ya se ha dicho, y se ha citado de yaciente, to de la que se ha citado de Trastamara.

De las cuatro de las tejas de la villa, en la que se ha citado de yaciente en la parte que se ha citado de yaciente, tiene las diez puntas cerámicas. Hecho: 7 de Año 2010 6:36.

Cierre: En este testamento el Testamento codice al efecto fotografiado designado para las tejas que en general ha de hacer de acuerdo con lo que de su Testamento ha autorizado.

Se ha de hacer de acuerdo con las tejas que en general ha de hacer de acuerdo con lo que de su Testamento ha autorizado. En el Testamento se ha citado de yaciente.
que se constató constituyendo a
el delito de 25/01/99, ubicado en
la Vialidad carretera Atierrúa, cerca
de la ciudad de Cottolende, en el cual se
constató que el vehículo marca FORD
modelo Explorer XLT, tipo 4×4, color
verde de los años 2001 y 2003, pla-
TA D - 50P - 653253; int sel tác
a este vehículo el testigo dice que
constaté que el vehículo cuenta con
un casco número 4, del número
223449, ubicado en el costado derecho.
Tercero: Que el vehículo a
este testigo el testigo dice que
constaté que los casos (4) dieron
llevaban en cada uno de los casos
el vehículo inspeccionados con la
serie RC-5 LT 023/75 R/13, serie del
casco de la marca de carrocería, DOT P6
HL JACA 2800, del número inscrito
de DOT PB HL JACA 2800, casco
de DOT PB HL JACA 2800 y el casco número de las
DOT PB HL JACA 2800 dadas.
damentemente asentado con el pasibien al escritor. - CRIS - en cumplimiento de este particular, dicen que los representantes de los cuadros así como la señora de asistente de este uno de ellos se encuentran en buen estado - MIP-TE. En relación a este particular al "Térmico" encargado de trasladar con la policía y demás al escritor.- foto.- y su equipo, trasladarán al cuadro uno de los cuadros anteriormente en todos los de los cuadros anteriores con la señora de este anteriormente a los fines de su asistencia al cuadro, en este caso el escrito foto.- y su equipo, así como el pasibien particular - SEPT.- en relación a este particular al "Térmico" encargado la traslación de fotografías de la señora, se encuentre conforme a su que se encuentre el términoconjuntamente con la señora ante-
- a la vez, como desistió cuando fue
gasas su apremio al la juez de

F: 1748, con lo que a

- en el tribunal de la -

- interese que en el caso
de vehículo que fue

- del tribunal que fue

- de vehículo que fue

- la juez, en su fallo de

- este, se mencionó al

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de la conducción al vecindario
puertorriqueño y en consecuencia de la
construcción de una nueva pista
y para asesoramiento del Gobierno
decidido que el kilometro 8.5 de la
autovía de Santa Elena hacia el
centro de Kilometro (82.5 km)
seja construido con cabecera al
segundo vecindario en el mismo
lugar del gallo que el cerro de
questo es descrito en el
Grupo Segundo 2T/S LT 235/2521/5,
señal DOT PB HL 1ACA 2800,
previamente citada en el Reglamento
rural que el vehículo se asesina
ta en perfecto estado, así bajo
en la línea de vehículos. Por
último y al final del Tartemar queda
asociado de la condición de que
se arreglen el cojezno de la
Dirección Rielvina que indica
tomar fotografía de las causas
da los fines de su agregado a la acta
en este estado, el tránsito acelerado de la responsabilidad con el asesinato fue acompañado de un incremento de la población. En este punto, la constancia fue el criterio del "resumen" que presentó una formulación con el juicio. En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución". En este estado, el tránsito acelerado fue el "resumen" de la "resolución" que fue formulada el "resumen" de la "resolución".
Declaro que los causales instaurados, así como el camino de seguimiento del vehículo sospechoso, tienen una duración total de (60) días desde la instalación. Terminado el objeto del trámite el tribunal acuerda sus escasas a su sede, siendo las 5 y 30 P.M.

Firmado:

[Signature]

Secretaria:

[Signature]
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

No. 3439

PETITIONER(S): Aracelis Urdaneta

REASON: Judicial Inspection

COURT: Fourth Municipal Court

DATE OF ENTRY: Day: 10 Month: 11 Year: 2000

DATE RETURNED: Day: 0 Month: 0 Year: 0

No. 3439
Citizen:

FOURTH JUDGE FOR THE MUNICIPALITIES OF VALENCE, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

In his office,

I, ARACELIS URDANETA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of national identity card No. V-7,082,174, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,766, appearing herein in my capacity as counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General Shareholders' Meeting, recorded in the First Commercial Register and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume II-A, my capacity being evidenced by the power of attorney executed before the Sixth Notary Public's Office in Valencia, on the 25th day of October, 2000, which was recorded under No. 41, Volume 79 of the Books of Authentications maintained by that Notary Public's Office, respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session of a vehicle described as follows: make: Ford, model: Explorer, with the type, color and plates as evidenced by the inspected vehicle. TWO: As to whether the vehicle described above has four (4) tires mounted one on each of its rims. THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. FOUR: As to the general condition of the tires mounted on each rim of the inspected vehicle and their tread. FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. SIX: That photographs be taken of the bodywork and condition of the inspected
vehicle. **SEVEN.** That a statement be placed on the record as to the general condition of the bodywork of the inspected vehicle. As to any other fact or circumstance, that I reserve the right to indicate in due course. Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 *eiusdem*, I request that the photographic reproduction be ordered of the items expressly specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court *to state for the record* that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this Judicial Inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, on the date of the submission for filing hereof.

*(Signed - illegible)*

(Stamp)
Submitted for filing on November 10, 2000
consisting of one (1) sheet of paper
Amendments: NONE
11:30 a.m. during office hours
GIVEN IMMEDIATELY TO JUDGE
*(Hand written)* The Filing Party,
*(Signed)* *(Illegible)*

*(Hand written)* Acting Clerk,
*(Signed)* *(Illegible)*
1114

[Hand written] Two (2)

Form No. (illegible)

Date:

GRANTING OF

(Cost of Arms)

STATE OF CARABOBO

Bolivarian Republic of Venezuela

Justice of the Interior and Public Justice

One hundred and forty-eight Bolivars 148.00

(Stamp): Bolivarian Republic of Venezuela

Stamp:

Ministry of the Interior and Public Justice

(Signed) (illegible)

(Stamp): Francisco Ginart de Olivearti

Attorney

Venezuelan Bar Association No. 67,252

I, JORGE ANTONIO GONZALEZ ALVAREZ, a citizen of the United States of America, being of age, legally competent, domiciled in the City of Valencia, State of Carabobo and holder of identity card No. 81,607,491, acting in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., (formerly known as C.A. Firestone Venezuela), a corporation registered in the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, the reforms thereto being assembled in a single body of documentation as set forth in the Minutes of the Extraordinary General Shareholders' Meeting recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, authorized hereby as evidenced in the Twelfth Clause of part "C" of the Articles of Incorporation and Bylaws, hereby declare: That on behalf of the company I represent, I am granting a Special Power of Attorney that is as broad and sufficient as the law requires, to Attorneys: MIGUEL ANGEL COLMENARES and ARACELIS URDANETA NAVAS, who are citizens of Venezuela, of age, single, legally competent, holders of identity cards Nos. 7,067,502 and 7,082,174 respectively, and registered with the Venezuelan Bar Association under Numbers 30,705 and 30,706 respectively, and who are both domiciled in this City, to act jointly or separately and represent and uphold the rights, actions and interests of the company I represent, BRIDGESTONE FIRESTONE VENEZOLANA, C.A., which is identified above, and consequently, pursuant to this mandate, the Attorneys mentioned above are authorized to file and answer complaints, be deemed to have been summoned and subpoenaed, assert affirmative defenses and file motions to dismiss, answer same and file counterclaims, withdraw claims, settle, agree, compromise in arbitration proceedings before arbitrators or at law, offer and produce evidence, move for and execute attachments and enforcement procedures, exercise any ordinary or extraordinary remedies granted by Law, including that of cessation, place bids at auctions and adjudications. The attorneys may appoint special attorneys for certain matters if they deem it appropriate or if the law so requires, replace them in whole or in part, reserve the exercise thereof or not, and resume it at any time they wish......
before the Courts, officials and competent agencies of the Republic, the states and municipalities, and any other natural persons or legal entities of a public or private nature. It is understood that the powers listed herein are merely for purposes of example and are not limitative. Two identical counterparts hereof are being made for a single purpose. Valencia, on the date of the authentication hereof.

For BFVZ
(Signed) (illegible)

JORGE A. GONZÁLEZ A.
BOLIVARIAN REPUBLIC OF VENEZUELA, SIXTH NOTARY PUBLIC'S OFFICE IN AND FOR VALENCA IN THE MUNICIPALITY OF VALENCA. The twenty-fifth (25th) day of October, two thousand, 1909 Year of Independence and the 141st year of the Federation. The foregoing document, which was prepared by Attorney, FRANCISCO GINART DE OLIVASTRI [illegible], who is registered with the VENEZUELAN BAR ASSOCIATION under No. 67252, was submitted for AUTHENTICATION AND RETURN, as per form No. 36796 dated October 24, 2000. Present was (were) the Grantor(s) thereof, who stated that his/her (their) name(s) was (were): JORGE ANTONIO GONZALEZ ALVAREZ, acting in his capacity as President of "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.".

Of age, domiciled in VALENCA

Nationality: UNITED STATES OF AMERICA

Marital status: MARRIED [handwritten]

Holder of Identity Card(s) No.(s) E-81,607,491

Having read, and compared the original with the photocopies thereof, which were all then signed, in the presence of the NOTARY, the GRANTOR(S) stated: "THE CONTENT THEREOF IS TRUE AND THE SIGNATURE(S) APPEARING AT THE BOTTOM OF THE DOCUMENT ARE MINE (OURS)".

THE NOTARY therefore declared it to be AUTHENTICATED in the presence of clerks/witnesses: MILAGROS RUEDA and MIGUEL BOADA, holders of Identity Cards No. V-4,872,554 and V-4,684,501, and it was inserted under No. 41, Volume 79, of the books of AUTHENTICATIONS maintained by this Notary's Office. THE UNDERSIGNED NOTARY STATES FOR THE RECORD THAT SHE DECLARED THAT SHE ...

SIXTH NOTARY PUBLIC, 
(Signed) (Illegible) 

GRANTOR, 
(Signed) I.A. González

(Signatures of witnesses - illegible)

AUTHORIZED EMPLOYEE, 
(Signed) (Illegible)
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

Valencia, November 10, 2000
189th year of Independence and 141st Year of the Federation

This petition has been received. It is ordered that the distribution (requirement) be waived as the emergency nature of the case has been stated under oath. It is ordered that the necessary time be set aside. It is ordered that it be admitted. It is ordered that the Court be transferred and called into session at the location indicated in this petition, in order to conduct the requested JUDICIAL INSPECTION.

PROVISIONAL JUDGE:
(Signed) (Illegible)
DR. RAFAEL E. CASTILLO H;
(Sign)
REPUBLIC OF VENEZUELA.
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

ACTING CLERK:
(Signed) (Illegible)
LUISA J. VASQUEZ C.-

Admitted on this date under No. ____

ACTING CLERK:
(Signed) (Illegible)
(Stamp – illegible)
At 3:30 p.m. today, the tenth (10th) day of November in the year two thousand, the Court was transferred and called into session at the at the Marina Apartments Parking Lot in the Marina Apartments on Libra Street in the Trigal Norte Development, in order to conduct the judicial inspection requested by attorney Aracelis Urdaneta, registered with the Venezuelan Bar Association under No. 30,706, appearing in her capacity as legal counsel for Bridgestone Firestone Venezuela C.A., pursuant to the copy of power of attorney attached to this inspection. In order to conduct this inspection, the Court agreed to appoint an expert mechanic and an expert photographer and to this end, it appointed citizens David Goncalves, a citizen of Venezuela, of age, holder of identity card No. 11,089,574 and Pedro Adolfo Fraga Henriquez, a citizen of Venezuela, of age, holder of identity card No. 11,809,283, who, being present, accepted the assignment, and were sworn in as provided by Law. Citizen Elyser Trasua Abreu Udana, a citizen of Venezuela, of age, holder of identity card No. 81,562,111 was served with a subpoena regarding the Court’s mission; she stated she was the driver of the vehicle that is the subject of this inspection and the wife of the owner of said……
vehicle, citizen Jesus Pujol, holder of identity card No. 4,322,353. The Court proceeded to place the items requested on the record and ordered the photographs to be taken; at this point, the expert photographer produced for examination by the Court a Polaroid 636 Close Up camera, and said photographs will be added to this inspection so as to form a part thereof, after being certified. The Court, being duly advised by the expert mechanic, then stated for the record as follows: **ITEM NO. ONE:** That there was a vehicle at the location at which the Court had been called into session, make: Ford, model: Explorer 4x2, year: '98, color: lead gray, plates: EAD-33E. **ITEM NO. TWO:** The Court stated for the record that the inspected vehicle had four (4) tires mounted one on each of its rims. **ITEM NO. THREE:** The Court stated for the record that the front right tire on the vehicle was make: Goodyear, type: Wrangler RT/S, type: LT235/75R15, serial No. DOT PBHIL-2AC41400, the front left tire was make: Goodyear, Wrangler RT/S, type: LT235/75R15, serial number DOT PBHIL-2AC41400; the rear right tire was make: Goodyear, Wrangler RT/S, Type: LT235/75R15, serial number DOT PBHIL-2AC41400; the rear left tire was make: Goodyear Wrangler RT/S, type: LT235/75R15, serial number DOT PBHIL2AC41400. **ITEM NO. FOUR:** The Court, being duly advised by the expert mechanic,.................
stated for the record that each of the tires on the inspected vehicle was in good condition, as was their tread. **ITEM NO. FIVE:** The Court ordered photographs to be taken, with the camera described above, of each of the tires that were mounted on the rims, and also of the vehicle’s bodywork. **ITEM NO. SIX:** The Court ordered as set forth in the preceding item. **ITEM NO. SEVEN:** The Court, being duly advised by the expert mechanic, stated for the record that the inspected vehicle was generally misaligned, showed signs of multiple denting, the windshield was shattered, the front end was out of alignment and the roof was caved in. At this point, the petitioner intervened and exercising the right to speak she had reserved, asked to Court to state the mileage on the vehicle for the record, and state the conditions, make, type and serial number of the spare tire and the condition of the vehicle’s suspension. The Court, being duly advised, stated for the record that the mileage showing was forty-three thousand eight hundred and twenty (43,820) kilometers and that the spare tire was make: Goodyear Wrangler RT/S, type: LT235/75R15, serial number DOT PBHL2AC41400, and that the suspension was of the Australian ARB type. At this point, ...
the subpoenaed party identified above intervened and stated: On Wednesday, November 8 this year, at approximately seven thirty at night, I was driving down [illegible] Street in the Trigol Norte Development and when I turned on to El Pacífico Avenue, I smashed into a blue Toyota, Samurai; when I tried to avoid it, I crossed to the right and I felt the steering lock up, I crashed into the barrier and the embankment and then it rolled over, also, I was travelling at a speed of approximately thirty (30) kilometers per hour. The Court concluded its mission and left the location at four thirty in the afternoon. Completed, read and signed by those below, who were in agreement therewith.

Provisional Judge,
(Signed) [illegible]
Dr. Rafael E. Castillo H.-
(Stamp) REPUBLIC OF VENEZUELA
(Signed) [illegible]

Petitioner,
(Signed) [illegible]

Subpoenaed Party,
(Signed) [illegible]

The Expert Mechanic,
(Signed) David Goncalves

The Expert Photographer,
(Signed) [illegible]

Acting Clerk,
(Signed) [illegible]

(Hand written) - (6-
CERTIFIED AS BEING RETURNED TO THE PETITIONER, CONSISTING OF TWELVE (12) SHEETS OF PAPER, ON THE SIXTEENTH DAY OF NOVEMBER IN THE YEAR TWO THOUSAND.

ACTING CLERK
(Signed) (Illegible)
ATTORNEY JOSE LUIS SANZ PANCHIECO.

(REPUBLIC OF VENEZUELA
FOURTH COURT IN AND FOR THE MUNICIPALITIES OF
VALENCIA, LIBERTADOR
(Sud)
LOS OYOS, NAQUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO)
Certificate of Accuracy

STATE OF FLORIDA  )  SS
COUNTY OF MIAMI-DADE  )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 3439, dated November 10, 2000, concerning an inspection of the Ford Explorer with plates numbered EAD-33E, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal]  My commission expires: 1/19/03
REPÚBLICA DE VENEZUELA

3439

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S): AMABELIA PIDANZEA

MOTIVO: INFORMACIÓN JUDICIAL

JUZGADO: GRANDE DE MUNICIPIO


Ciudadano:

JUEZ QUARTO DE LAS MUNICIPIAS VALENCIA, LIBERTADOR, LOS GUATOS, NAUCAJA-y-
SAN DIEGO DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO CARABO

Se Despacha:-

Yo, ARACELIS URDANETA, venezolana, mayor de edad, residente en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.062.174, abogada en ejercicio, inscrita en el INGRESOBOGADO bajo el N° 36.704, proponiendo en caso tanto en mi carácter de apoderada de FIRESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, cumpliendo sus reflexiones en un solo cuerpo, según cuenta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de octubre de 1997, bajo el N° 3, Tomo 3-A, cariñoso el mío que se evidencia de instrumento poder otorgado por ante la Notaria Públicas de Valencia, en fecha 25 de octubre de 2000, el cual quedó notificado bajo el N° 1, Tomo 39 de los Libros de Asambleas realizados por esa Notaría Pública, ante usted respetuosamente concurso y enmienda: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro lo urgente del caso, solicito la habilitación de mi responsable de este honorable Tribunal y, en consecuencia, su elevado, el requisito de esta demanda, con el fin de que el tribunal se trate lo conste en la demanda que oportunamente se señalara, a fin de dejar constancia por vía de Inspección Judicial, de los parámetros siguientes:

PRIMERO: De la presentación en el lugar donde se encuentra constituido el Tribunal, del vehículo identificado Ford, Maruti, Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y modelo de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se toman fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. SEXTO: Se toman fotografías de la conversión y las condiciones en que se
encuentra el vehículo inmovilizado. SÉPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inmovilizado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de la In inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

Por: [Firma]

CONSERVADO: [Fecha: 10-11-2000]

[Observaciones adicionales]

Cuenta inmediata al Juez
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estado civil de edad, nacido en Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta en Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veinticuatro (24) de enero de 1997, y autorizada para este acto según se evidencia en la Cláusula Duodécima en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de éste domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los personados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien...
tuviere ante los Tribunales, funcionarios y Organismos competentes de la República,
los Estados, Municipios, y demás personas naturales o jurídicas de carácter público o
privado, en entendido que las facultades aquí enunciadas son a título meramente
ad honorem y son no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo
ejemplar formal en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
En el Juzgado de Primera Instancia en Materia Civil y Mercantil de esta Circunscripción Judicial, en fecha 21-11-97, bajo el nº 5, Tomo 1-A, autorizado para este acto según se evidencia en la cláusula decimocuarta en su parte 3º del documento constitutivo estatutario. E igualmente deja constar que para este acto autorizo a la ciudadana María Victoria Rodríguez con Cédula de Identidad N° 7,010, 103, escribiente y de esta notaría para presenciar dicho otorgamiento conforme el artículo 1º del Reglamento de Notarías Públicas en las oficinas de esta notaría en Carretera Vieja Vía Los Guayos en Valencia, a las 10:00 P.M.

El poderante.

[Signatura]

Los testigos:

[Signaturas]

El funcionario autorizado.

[Signatura]
GACDO CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTAD, LOS GUAYOS, N.-GUANACUA Y SAN JUAN DE LA CIUDAD: CORRECION JUDICIAL DEL ESTADO

Valencia, 10 de Noviembre 2.000
1899 y 1413

Por recibir la presente solicitud. Obviara la Distribución por ser jurada la urgencia del caso. Prevale habilitación de todo el tiempo necesario. Se le entregue el Tribunal y constituyase el Tribunal al sitio indicado en la presente solicitud, a fin de practicar la INSPECCION JUDICIAL, solicitada.

EL SECRETARIO; RAPIDIA Y CASTILLO M.;

EL SECRETARIO ACCIDENTAL; LUIS A. VARGAS C.-.

En la misma fecha se le dio entrada bajo el N°
El Tribunal procede a dar cuenta de la decisión que ha adoptado.

El Tribunal decide que el vehículo relacionado con el accidente ha sido identificado y que se ha encontrado en condiciones de manejo adecuadas en el momento del accidente. Se ha establecido que el conductor era competente y que no había efecto de alcohol o drogas en su estado de salud.

Resolviendo la controversia, se determina que no se ha encontrado evidencia suficiente para imputar responsabilidad a ningún de los partes involucradas en el accidente.
El Tribunal, en su carácter de árbitro, mientras no se haga constar que el certificado de inscripción, que figuran en el acta de formalización de la empresa, se haya certificado por el Juez, en el caso de que lo hubiera pedido el Ministro, podrá, en aquel caso, hacer que se haga el certificado en el acto, y en caso de que el Juez hubiera pedido el certificado, el Ministro podrá, en aquel caso, hacer que se haga el certificado en el acto.
SE DEuelve al SOLICITANTE CUSTODIante DE DECE (12) FOLIOS UTI
LISIS, CONTE "AY, DECISIOn DE REVUE de CAR 2,000

EL SECRETARIO TITULAR

E J. ROD. J. LOTÚS SAMI PACHECO.
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

RECORDS

No. 2402-2000

Document No.

PETITIONER(S): ARACELIS URDANETA (COUNSEL FOR BRIDGESTONE: FIRESTONE VENEZOLANA, C.A.)

PETITIONED:

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITY OF SANTIAGO MARÍNÓN IN THE STATE OF ARAGUA

Date of entry: Day: 27 Month: 11 Year: 2000

RETURNED:

Day: __________ Month: ________ Year: __________

RETURNED:

Day: __________ Month: ________ Year: __________

DATE COMPLETED: ____________________________
Citizen:

JUDGE IN AND FOR THE MUNICIPALITY OF SANTIAGO MARÍNO IN THE STATE OF
ARAGUA

IN HIS OFFICE. -

I, ARACELIS URDANETA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of national identity card No. V-7,082,174, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,706, appearing herein in my capacity as counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General Shareholders' Meeting, recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, my capacity being evidenced by the power of attorney executed before the Sixth Notary Public's Office in Valencia, on the 25th day of October, 2000, which was recorded under No. 41, Volume 79 of the Books of Authentications maintained by that Notary Public's Office, respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,429 of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at the location of which I shall advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is called into session of a vehicle described as follows: make: Ford, model: Explorer, with the type, color and plates as evidenced by the inspected vehicle. - TWO: As to whether the vehicle described above has four (4) tires mounted on each of its rims. THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. FOUR: As to the general condition of the tires mounted on each rim of the inspected vehicle and their tread. FIVE: That photographs be taken of the bodywork and the state of the inspected vehicle. [*SIX:* missing from source document] SEVEN: [sic] That a statement be placed on the record as to the general condition of the bodywork of the inspected vehicle. As to any other fact or circumstance, that I reserve the right to indicate in due course. Pursuant to Articles 472 and 475 of the
Code of Civil Procedure, in agreement with the provisions of Article 502 et al., I request that the photographic reproduction be ordered of the items expressly specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this Judicial Inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. Lastly, I would request that once this petition has been compiled with, the original be returned to me together with the results thereof. Trusting in the Court's grace, on the date of the submission for filing hereof.

(Signed – illegible)
I, JORGE ANTONIO GONZALEZ ALVAREZ, a citizen of the United States of America, being of age, legally competent, domiciled in the City of Valencia, State of Carabobo and holder of identity card No. 81,607,491, acting in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., (formerly known as C.A. Firestone Venezuela), a corporation registered in the Commercial Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, the reforms thereto being assembled in a single body of documentation as set forth in the Minutes of the Extraordinary General Shareholders’ Meeting recorded in the First Commercial Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, authorized hereof as evidenced in the Twelfth Clause of part “C” of the Articles of Incorporation and Bylaws, hereby declare: That on behalf of the company I represent, I am granting a Special Power of Attorney that is as broad and sufficient as the law requires, to Attorneys: MIGUEL ANGEL COLMENARES and ARACELIS URDANETA NAVAS, who are citizens of Venezuela, of age, single, legally competent, holders of identity cards Nos. 7,067,502 and 7,082,174 respectively, and registered with the Venezuelan Bar Association under Numbers 30,705 and 30,706 respectively, and who are both domiciled in this City, to act jointly or separately and represent and uphold the rights, actions and interests of the company I represent, BRIDGESTONE FIRESTONE VENEZOLANA, C.A., which is identified above, and consequently, pursuant to this mandate, the Attorneys mentioned above are authorized to file and answer complaints, be deemed to have been summoned and subpoenaed; assert affirmative defenses and file motions to dismiss, answer same and file counterclaims, withdraw claims, settle, agree, compromise in arbitration proceedings before arbitrators or at law, offer and produce evidence, move for and execute attachments and enforcement procedures, exercise any ordinary or extraordinary remedies granted by Law, including that of cassation, place bids at auctions and adjudications. The attorneys may appoint special attorneys for certain matters if they deem it appropriate or if the law so requires, replace them in whole or in part, reserve the exercise thereof or not, and resume it at any time they wish......
Dolivarian Republic...
Ministry of the Interior...
(Seal)
Sixth Notary Public

before the Courts, officials and competent agencies of the Republic, the states and municipalities, and any other natural persons or legal entities of a public or private nature. It is understood that the powers listed herein are merely for purposes of example and are not limitative. Two identical counterparts hereof are being made for a single purpose. Valencia, on the date of the authentication hereof.

For BFVZ
(Signed) (illegible)

JORGE A. GONZÁLEZ A.
BOLIVARIAN REPUBLIC OF VENEZUELA. SIXTH NOTARY PUBLIC'S OFFICE IN AND FOR VALENCIA IN THE MUNICIPALITY OF VALENCIA. The twenty-fifth (25th) day of October, two thousand. 199th Year of Independence and the 141th year of the Federation. The foregoing document, which was prepared by Attorney, FRANCISCO GINART DE OLIVASTRI (sic), who is registered with the VENEZUELAN BAR ASSOCIATION under No. 67252, was submitted for AUTHENTICATION AND RETURN, as per form No. 36798 dated October 24, 2000. Present was (were) the Grantor(s) thereof, who stated that his/her (their) name(s) was (were): JORGE ANTONIO GONZALEZ ALVAREZ, acting in his capacity as President of "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.").

Of age, domiciled in VALENCIA

Nationality: United States of America

Marital status: MARRIED [handwritten]

Holder of Identity Card(s) No.(s) E-81,697,491

Having read and compared the original with the photocopies thereof, which were all then signed, in the presence of THE NOTARY, THE GRANTOR(S) stated: "THE CONTENT THEREOF IS TRUE AND THE SIGNATURE(S) APPEARING AT THE BOTTOM OF THE DOCUMENT ARE MINE (OURS)". THE NOTARY therefore declared it to be AUTHENTICATED in the presence of clerks/witnesses: MILAGROS RUEDA and MIGUEL BOADA, holders of Identity Cards No. V-4,882,554 and V-4,684,501, and it was inserted under No. 41, Volume 79, of the books of AUTHENTICATIONS maintained by this Notary's Office. THE UNDERSIGNED NOTARY STATES FOR THE RECORD THAT SHE DECLARED THAT SHE ...
(Stamp)
Bolivarian Republic of Venezuela
Ministry of the Interior and Public Justice
(Sew)
Sixth Notary Public in and for Valencia

(Partial stamp to right – illegible)


SIXTH NOTARY PUBLIC
(Signed) (Illegible)

GRANTOR
(Signed) J.A. Gonzalez

Bolivarian Republic of Venezuela
Ministry of the Interior and Public Justice
(Sew)
Sixth Notary Public in and for Valencia

THE WITNESSES
(Two signatures – illegible)

AUTHORIZED EMPLOYEE
(Signed) (Illegible)

CERTIFICATION

The undersigned, SERGIO ALBERTO ESPINOZA, Chief Clerk of the Court in and for the Municipality of Santiago Mariño in the State of Aragua, CERTIFIES: That the foregoing are true and correct copies of the original thereof, which was returned after being certified for the record. In Turnero, on the twenty-eighth day of November, two thousand ————————————————————

CLERK
(Signed) (Illegible)
COURT IN AND FOR THE MUNICIPALITY OF SANTIAGO MARIÑO IN THE STATE OF ARAGUA, Turmero, on the twenty-eighth day of November in the year two thousand.

189th Year of Independence and 141st Year of the Federation

Having received the petition filed by citizen ARACELIS URDANETA, who is a citizen of Venezuela, holder of identity card No. V.-7,082,174, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,706; in her capacity as counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A. a corporation formerly known as C.A. FIRESTONE VENEZOLANA, it is ordered that it be admitted and recorded in the corresponding book; consequently, it is agreed that the Court be transferred and called into session at any location the petitioner indicates in the petition in order to conduct the Judicial Inspection requested in this petition, and that a statement be placed on the record as to the items contained therein, for which 11:30 a.m. today, November 28, 2000, is scheduled, having first set aside the necessary time therefor.

Provisional Judge
(Signed) (illegible)

(Partial Stamp) (illegible)

The Clerk.
(Signed) (illegible)
At 11:30 a.m. today, November 28, in the year two thousand, having set aside the necessary time, the Court, accompanied by Attorney, Araceli Del V. Urdaneta Nava, registered with the Venezuelan Bar Association under No. 30,706 and fully identified in the record, was transferred and called into session at the following address: Turmero Highway – La Encrucijada, where the 2,000 Parking Lot does business in the Municipality of Santiago Mariño in the State of Aragua, in order to hold the Judicial Inspection requested in this petition; present thereat was citizen ELIAS ALBERTO MINO COLL, holder of identity card No. 645,737, whom the Court subpoenaed for its mission, and he allowed it access inside the 2000 Parking Lot Office. The Court then appointed citizen, DAVID GONCALVES MALPICA, holder of identity card No. 11,089,574 as the expert mechanic and citizen, PEDRO ADOLFO FRAGA HENRIQUEZ, holder of identity card No. 11,809,283 as the expert photographer; both being present, they thereupon stated under oath that they would properly and faithfully fulfill the duties inherent in the assignment for which they had been appointed.— The Court then went on to place a statement on the record as to the items contained in this petition, as follows: ITEM NO. ONE: The Court stated for the record that there was a vehicle described as follows at the location at which it had been called into session, make: Ford, model: Elite XLT, color: wine, plates: GVC-96X [sic], State of Carabobo, Chassis serial number 8X0ZU18EXX8A31137, model: Explorer. ITEM NO. TWO: The court stated for the record that the four tires and rims on the vehicle described above were in good condition and only the tire [text missing]. ITEM NO. THREE: The Court stated for the record that the tires on the inspected vehicle were, make: Goodyear, type: Wrangler RT/S, P255/70R16; with regard to the serial numbers, we noted that the one on the front right tire was DOT PBIR 2J41 2100; with regard to the front left tire, the serial number was DOT PBIR 2J41 2100; with regard to the rear.......
right tire, the serial number was DOT PB1R 2JH4 2100 and with regard to the rear left tire, the serial number was DOT PB1R 2JH4 2100. ITEM NO. FOUR: The court stated for the record that the four tires on the above-described vehicle were in good condition, as was their tread. ITEM NO. FIVE: The court ordered photographs to be taken in order to place on the record the condition of the inspected vehicle's bodywork; these photographs will be added to this Inspection. ITEM NO. SIX: Which was erroneously shown as seven, the court stated for the record that the general condition of the inspected vehicle's bodywork was, first, generalized misalignment, the frames and doors were wrecked, all of the windows were shattered, the roof was completely caved in, the trunk was misaligned and there was general denting.

At this point, the petitioner exercised the right to speak she had reserved. She asked that a statement be placed on the record as to the mileage showing on the inspected vehicle, the type of suspension the vehicle had and the state of the spare tire and also its tread and she asked the Court to have photographs taken of each of the vehicle's tires and its bodywork. At this point, the court, with the assistance of the expert, stated for the record [text missing] and granted him the right to speak. Suspension: type: ARB Australian, reinforced crossbar, reinforced shock absorbers; the mileage on the inspected vehicle was 37,465 kilometers, the spare tire [sic] were made: Goodyear, type: Wrangler RT/S, P235/70R16, Serial No. DOT PB1R 2JH4 2100 and the condition of the spare tire was perfect, as was its tread (new); the court agreed to take the photographs requested by Attorney, ARACELIS DEL V. URDANETA NAVA, whose camera was described as follows: Make: Polaroid, type: 636 Close Up, with a capacity of ten to a roll, which will be taken by citizen, expert photographer, Pedro Fraga, who was appointed by this court to perform this function, and the photographs taken will also be added to this inspection. Now, therefore, there being no further business for the Court to attend to, it agreed to return to its usual site, at 12:30 p.m. That is all, completed, read and signed by those below who are in agreement therewith.

PROVISIONAL JUDGE

(Signed) (Illegible)
(Hand written) Six (6)

(Two partial stamps to left)
.of Venezuela
.Judicial District
.of the State of Aragua
.(Seal)
..Municipality of Santiago Mariño

SUBPOENAED PARTY
(Initials - illegible)

EXPERT PHOTOGRAPHER
(Signed) (Illegible)

EXPERT MECHANIC
(Signed) David Goncalves

PETITIONING ATTORNEY
(Signed) (Illegible)

CLERK
(Signed) (Illegible)
Venezuela
Judicial District
of Aragua
(Seal)
(Illegible)

...COURT IN AND FOR THE MUNICIPALITY OF SANTIAGO MARIÑO IN THE STATE OF ARAGUA - TURMERO; NOVEMBER 28, IN THE YEAR TWO THOUSAND.

This order has been complied with. - It is agreed to return the original to the petitioner with the results thereof.

PROVISIONAL JUDGE
(Signed) (Illegible)
(Stamp)
Republic of Venezuela
Judicial District
Of the State of Aragua
(Seal)
Court in and for the Municipality of Santiago Mariño -

CLERK
(Signed) (Illegible)
Certificate of Accuracy

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 24022000, dated November 27, 2000, concerning an inspection of the Ford Explorer with plates numbered GVC-96X (or GEC-96X), is accurate, true and complete, to the best of my knowledge, ability and belief.

[Signature]
Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 8th day of February, 2001.

[Signature]
Maury Margaret Scharrer
Notary Public
State of Florida

[Seal]
My commission expires: 8/24/04

[Seal]
REPÚBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCION CIVIL
ARCHIVO

No 2402-2000

DEMANDANTE (s) ARACELICE URBANITA (APODERADA DE BRIDGESTONE FIRESTONE VENEZOLANA C.A.)

DEMANDADO (s)

MOTIVO INFORME JUDICIAL

TRIBUNAL DEL MUNICIPIO SANTIAGO MANÍO DEL ESTADO ARAGUA

Fecha de entrada: Día 27 Mes 11 Año 2000

REMITIDO

Día Mes Año

REMITIDO

Día Mes Año

TERMINADO EN FECHA
Yo, ARACELY URBANETA, venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7 082 174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30 706, procediendo en este acto en mi carácter de apoderada de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita ante el Registro mercantil.

Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, carácter el mío que se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, ante uned respetuosamente ocurre y expone: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y construya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Ford, Modelo Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO Se tomen
fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estado civilmente mayor de edad, habitante en la ciudad de Valencia, Estado Carabobo y titular de la cédula de identidad No 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el No 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha Veinte y nueve de enero de 1997, bajo el No 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Decimuncuarta en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hablantes en derecho, titulares de las cédulas de identidad No 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de éste domicilio, para que conjunta o separadamente representen y sustengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandado, quedan facultados los nombrados Apoderados para intentar, contestar demandas, dar por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros o árbitros o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las leyes, inclusive el de Casación, hacer presentes en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y resumirlo en cualquier tiempo cuando a bien
tuvo en los Tribunales, funcionarios y Organismos competentes de la República,
Estados y Municipios, y demás personas naturales o jurídicas de carácter público o
privado. Se enunciado que las facultades aquí enunciadas son a título meramente
exclusivo de un solo taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo
efecto. Material, en la fecha de su autorización.

Por BFVZ,

Jorge A. González A.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOMINA PUBLICA SEPTA DE VALENCIA DEL MUNICIPIO METROPOLITANO DE CARACAS.

Firma del anterior documento, redactado por el Abogado.

Inscrito en el INPREABOGADO bajo el No 6732.

Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla No 5679.

De fecha 24 de abril de 2000. Presente(s) su(s) otorgante(s) dijeron:

Rubrica:

JOSÉ ANTONIO GONZALEZ ALVAREZ (Actuando en su carácter de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.").

Dónde(n) se(s) firma(s):

Valencia.

De Nacionalidad (es):

EUA.

De estado civil:

Casado.

Título(s) de la (los) Cédula(s) de Identidad Número(s) 2-14057462.

Leído y confrontado el original con las Fotocopias firmadas en éste y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE (S) expuso (eron) "SU CONTENIDO ES CIERTE Y NUESTRA (S) FIRMAS QUE APARECE (N) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo dekara AUTENTICADO en presencia de los testigos escriturales: MILAGROS RUEDA Y MIGUEL BOADA.

Titulares de las Cédulas de Identidad Númeross V-4.872.554 y V-6.384.501, dejándolo inserto bajo el No 41. TOMO 75, de los libros de AUTENTICACIONES llevados por el Notario. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVO PARA SU
FALTAN, PRESENTACION REGISTRO DE BRIDGESTONE FIESTONE VENEZOLANA, C.A., INSCR. EN EL REGISTRO MERCANTIL QUE LLEVÓ EL JUZGADO DE PRIMERA INST. EN LA CIUDAD Y MERCANTIL DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FECHA 31-07-97, BAJO EL N° 7-97, CONFORME LAS PARTES DEL DOCUMENTO CONSTITUYENTE DE LA SOCIETARIO, Bajo Título E5-7, Y EN EL SECTOR MERCANTIL, PRIMERO DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FECHA 31-07-97, BAJO EL N° 7, TOMO 4-A, AUTORIZADO PARA ESTE ACTO SEGUN SE EVIDENCIÓ EN LA CLASES Y DE EL DOCUMENTO CONSTITUYENTE DE LA SOCIETARIO. IGUALMENTE DEJA CONSTAR QUE PARA ESTE ACTO AUTORIZADO A LA CIUDADANA MARIA VICTORIA RODRIGUEZ CON CEDULA DE IDENTIDAD N° 7.391.107, ASISTENT E DE ESTA NOTARIA PARA PRESENZAR GIGOS GASTOSMIENTO COMO EL ARTICULO 2° DEL REGLAMENTO DE NOTARIAS PUBLICAS EN LAS OFICINAS DE REGISTRO DE CARRETERA VIEJA V. LOS GUAYOS EN VALENCIA, A LAS 2.59 PM.

EL PODERDANTE.

EL FUNCIONARIO AUTORIZADO.

CERTIFICACION

El Susec. SERGIO ALBERTO ESPINOSA, Secretario Titular del Juzgado del Municipio Santiago Marino del Estado Aragua, CERTIFICA: Que las copias que presentan son trazados fieles y exactos de su original, lo cual fue devuelto en su certificación en autos.-En turnero a los Veinte días de Noviembre del Dos Mil.

EL SECRETARIO.
GADO DEL MUNICIPIO SANTIAGO MAZATO DEL ESTADO ARAGUA.

Turmero, Veinticinco de Noviembre del año Dos Mil

Años 189 y 141

Por recibida la presente solicitud presentada por ciudadanía ARECESI USANETA, quien es venezolana, titular de la Cédula de Identidad N.º 7-002-194; abogada en ejercicio, inscrita en el Impar y abogada bajo el N.º 50,706; en su carácter de apoderada de BRIDGESTONE, VENEZUELANA, C.A. compañía antes denominada C.A FIRESTONE, VENEZUELANA. Deseo entrada y anotarse en el libro correspondiente, en consecuencia se acuerda realizar el traslado y constitución del Tribunal al sitio que indique el parte actor en el escrito de solicitud, a los fines de practicar Inspección Judicial a que se conteste la presente solicitud, y dejar constancia sobre los particulares contenidos en la misma, para lo cual se fijen las 11:30 horas de la mañana, del día 16-1-2000, habilitándose todo el tiempo necesario para ello.-

La Juez Provisoria,

[signature]

El Secretario,

[signature]
El día de hoy 28 de Noviembre del año dos mil, siendo las 11:30 horas del mediodía, previa habilitación del tiempo necesario, remitído y constituido el Tribunal en compañía de la Abogada Ursula Paiva Aracelis Del V., inscrita en el inmejorable Nrp. 20706 firmemente identificada en autos; a la siguiente dirección Carretera Turmeró- La Encrucijada, donde funciona el Estacionamiento - 2,000, Municipio. Santiago Maríno del Estado Aragua, a los fines de practicar Inspección Judicial a que se contrae la presente solicitud, presente en este acto el ciudadano ELIAS ALBERTO NÍÑO — COD., titular de la cédula de identidad Nro. 645.737 a quien el Tribunal impuso de su Misión y permitió el acceso al interior de la Oficina del Estacionamiento 2000. En este acto el Tribunal designó como Perito Mecánico al ciudadano DAVID GONZÁLEZ MALPICA titular de la cédula de identidad nro. 11.089.574 y como experto-fotógrafo el ciudadano PEDRO ADOLOFO FRAGA HERNÁNDEZ, titular de la cédula de identidad Nro. 11.809.283, quienes estando presentes en este acto juzgaron cumplir bien y fielmente con los deberes inherentes al cargo para lo cual fueron designados.- En este acto el Tribunal pase a dejar constancia sobre los particulares contenidos en la presente solicitud de la siguiente manera: AL PRIMERO: El tribunal deje constancia que en el lugar donde se encuentra constituido, se encuentra un vehículo que posee las siguientes características Marcas: Ford, Modelo Elite XLP, Color Vino Tinto, Placas GEE-96X, Estado Carabobo, Serial Carrocería 8X5U1868XBA31137 - Modelo Explorer,— AL SEGUNDO: El tribunal deje constancia que el vehículo antes identificado se encuentra con su cuatro cuchos y rines en buen estado y solo el cuchó.— AL TERCERO: El tribunal deje constancia que los cuchos que posee el vehículo inspeccionamos con marcado Juno WO tipado Wrangler R&J, PJ55/70R16, en lo que respecta a los serials observamos que el cucho de delantero derecho es DOT FBGR 2324 21001; con respecto al delantero izquierdo el serial es DOT FBGR 2734 17001; con respecto al cuchó trasera...
do derecho el serial es DOT PBRJ 2JHY 2100 y con respecto al coche trasero Izquierda el serial es DOT PBRJ 2JHY 2100. — Al Quinto: El tribunal deje constancia que los cuatro cuchos del vehículo antes identificado se encuentra en buen estado así como su banda de rodamiento. — Al Quinto: El tribunal ordenó la toma de fotografías para dejar constancia de las condiciones de la carrocería que se encuentra el vehículo inspeccionado, las cuales serán agregadas a este Inspección. — Al Sexto: Que por error pusieron septimo, el tribunal deje constancia que las condiciones generales que presenta la carrocería del vehículo inspeccionado son primero descuidó generalizado, para las y puertas destronados, todos los vidrios revueltos, humedida total del techo, descuidado de trompa y abolladuras generales. En este estado se solicita que lo mismo haga uso del derecho de reserva. — Solicita se deje constancia que el kilometraje que presenta el vehículo inspeccionado del tipo de suspensión que presenta el vehículo del estado del coche de repuesto así como su banda de rodamiento y pido al tribunal de tome fotografías de cada uno de los coches y de la carrocería del vehículo. — En este estado el tribunal con la ayuda del experto deje constancia del cuál, le siete la palabra: Suspensión tipo ABE Australiana, Travesaño reforzado, amortiguadores reforzado el kilometraje que presenta el vehículo inspeccionado es de 37,455 Kilómetros, cuchos de repuesto Marcas Good Year Tipo Wrangler 275/70, 275/70R16, Serial DOT PBRJ 2JHY 2100 y las condiciones del coche de repuesto son perfectas al igual que su banda de rodamiento (nuevo) el tribunal acuerda tomar las fotografías solicitadas por la Abogada URBANZA MARY AGASILDE DEL T., cuya cámara presenta las siguientes características Marcas Polaroid, tipo 650 Closeup, de capacidad 8 por 10 con 10 cuchos las cuales serán tomados por el ciudadano Fotógrafo Pedro Praga, el cual fue designado por este tribunal para cumplir con dicha función, y así mismo agregue las tomas fotográficas e la presente inspección. — Por cuanto no existe otra diligencia que practicar el tribunal acuerda recomendar a su sede ordinaria, siendo las 12:30 horas del mediodía. — Es todo, terminó, se leyó y conforme.
GADO DEL MUNICIPIO SANTIAGO MARÍN DEL ESTADO ARAGUA.- TURMERO,
18 DE NOVIEMBRE DEL AÑO DOS MIL.-

Evacuada como ha sido la presente solicitud.- Se —
acuerda devolver original con sus resultas a la parte solicitante.-

LA JUEZ PROVINCIAL

EL SECRETARIO
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): MIGUEL ANGEL COLMENAREZ MONCADA

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE MUNICIPALITY OF BRUZUAL IN THE JUDICIAL DISTRICT OF THE STATE OF YARACUY.

DATE OF ENTRY: Day: 06 Month: November Year: 2000

DATE RETURNED: Day: Month: Year:

No. L02-2000

C.22
Citizen:

JUDGE IN AND FOR THE MUNICIPALITY OF BRUZUAL IN THE JUDICIAL DISTRICT OF THE STATE OF YARACUY

In his office. -

I, MIGUEL ANGEL COLMENARES MONCADA, a citizen of Venezuela, of age, domiciled in Valencia, State of Carabobo, holder of identity card No. V-7,067,592, a practicing attorney, registered with the Venezuelan Bar Association under No. 30,705, appearing herein in my capacity as legal counsel, as evidenced by the power of attorney executed in the presence of the Sixth Notary Public in and for Valencia, on October 25, 2000, which was recorded under No. 41, Volume 79, of the Books of Authentications maintained at this Notary Public's Office, which is attached to this petition of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE VENEZOLANA, which was registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendments thereto being assembled in one body of documentation, as set forth in the Minutes of the Extraordinary General Shareholders' Meeting, recorded in the First Companies Register in and for the Judicial District of the State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you and state: In accordance with Articles 192, 936 and 938 of the Code of Civil Procedure, and article 1492 of the Civil Code, I swear that this case is an emergency, and I would ask that this Honorable Court set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to and called into session at the address which I will give it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence, at the location at which the Court is called into session, of a vehicle. Maker: Ford, Model: Explorer, and the type, color and plates, as evidenced by the inspected vehicle. - TWO: As to whether the vehicle identified above has four (4) tires fitted one on each of its rims. - THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle. - FOUR: As to the general condition of the tires installed one on each rim of the inspected vehicle and their tread. - FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle. - SIX: That photographs be taken of the bodywork and condition of the inspected vehicle. ....
SEVEN. That the general condition of the bodywork of the inspected vehicle be put on the record. As to any other fact or circumstance, that I reserve the right to indicate in due course. Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 of same, I request that photographic reproduction be ordered of the items expressly specified above and any other item that I expressly reserve the right to indicate at the time said Judicial Inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court [to state] that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this Judicial Inspection and I therefore expressly request that said photographs be added to this Judicial Inspection. Lastly, I would request that once this petition has been dealt with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, on the date of the filing hereof. ______________________

(Signed – illegible)

FILED BY THE SIGNATORY DURING OFFICE HOURS,
TODAY, NOVEMBER 6, 2000 AT 12:39 IN THE AFTERNOON

ACTING CLERK
(Signed) (Illegible)

(Stamp)
REPUBLIC OF VENEZUELA
(Illegible)
(Seal)
(Illegible)

THE STATE OF YARACUY  
(Partial stamp is right margin)
(Illegible)
(Seal)

STATE OF...
COURT IN AND FOR THE MUNICIPALITY OF BRUZUAL IN THE JUDICIAL DISTRICT OF THE STATE OF YARACUY.

Chiraoa, November 6, 2000
Years: 196th Year of Independence and 141st Year of the Federation

Having reviewed the foregoing petition, it is agreed to grant it as requested and consequently, 1:00 p.m. this afternoon has been scheduled for the Court to be transferred and called into session at the location indicated in this petition to conduct the requested Judicial Inspection.

Acting Judge
(Signed) [Illegible]
Attorney Elaim Ballester Acosta.

(Stamp)
REPUBLIC OF VENEZUELA
(Seal)
Court in and for the Municipality of Brumal
STATE OF YARACUY

Acting Clerk
(Signed) [Illegible]
Luisa Gimenez Brito.

Partial stamp in left margin:
.....Municipality of Brumal
...YARACUY
As agreed upon, today, the sixth day of November, in the year two thousand, the Court was transferred and called into session at the Brunal parking lot, located on the East-West Central Western Highway, together with the Petitioner, Attorney Miguel Angel Colmenares, acting in the capacity set forth in the record, in order to conduct the requested Judicial Inspection; to this end, citizen, JUAN PABLO MONTENEGRO SANCHIS, was appointed as the Expert Photographer and citizen, DAVID GONCALVES, was appointed as the Expert Mechanic, both being of age, holders of Identity Cards Nos. 13,104,440 and 11,089,576 respectively, and being present, they accepted the assignments and stated under oath as provided by law that they would properly and faithfully fulfill them. The Court then made a statement on the record as to the following items: Item No. ONE: The Court stated for the record that it was called into session on the premises of Brunal Parking Lot in this city of Huacaco, specifically, on the right side of the East-West Central Western Highway, where there was a vehicle, Make: Ford, Model: Explorer XLT 4x4, Year: 97, 6 cylinder, Color: blue, Plates: 0AB-331. Item No. TWO: The Court stated for the record that the inspected vehicle was indeed fitted with four (4) tires, one on each rim. Item No. THREE: The Court stated for the record, upon information from the expert Mechanic, that the four (4) tires were described as follows: Make: Goodyear, Wrangler RT/S P235/70R16, Serial number DOT M6CU 469R 2800 (made in the USA). Item No. FOUR: The Court stated for the record, upon information from the expert mechanic, that the tires on the vehicle were in good condition and the tread was totally new. The four tires were flat. Item No. FIVE: The Court ordered the expert photographer to take photographs of each of the tires fitted on each of the rims on the inspected vehicle with a camera to be identified later, and these were ordered to be added to this inspection in order to form part of same. Item No. SIX: The Court ordered photographs to be taken of the bodywork and the condition of the inspected vehicle, which photographs were to be attached to this inspection. Item No. SEVEN: Upon advice from the expert mechanic, the Court stated for the record that the condition of the inspected vehicle was as follows: Overall generalized misalignment, the roof and hood were caved in, and doors were wrinked, the windshield was shattered, the front of the vehicle was misaligned. At this point, the Petitioner intervened and stated: I would respectfully request that this Court put on the record the vehicle's mileage. That is all. The Court agreed to his request and stated for the record that the inspected vehicle showed fifty-four thousand nine hundred and forty (54,940) kilometers on the odometer.
The expert photographer produced a 616 Close Up Polaroid camera, with which the photographs were taken. The Court, having fulfilled its mission, ordered its return to the Courthouse.

Acting Judge
(Signed)
Attorney Efraín Ballester Acosta

(Stamp)
REPUBLIC OF VENEZUELA
(Great Seal)
Court in and for the Municipality of Brusual
STATE OF YARACUY

(Signed) (Illegible)
Expert Photographer

The Petitioner:
(Signed) (Illegible)

(Signed) DAVID GONCALVES
Expert Mechanic

(Partial stamp)
...Municipality of Brusual
...YARACUY

Acting Clerk
(Signed) (Illegible)
Yasuka Giménez
CERTIFICATE OF TRANSLATION ACCURACY

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, MAURY MARGARET SCHARRE, duly certified by the University of Miami, Coral Gables, Florida, for proficiency in the Spanish language, hereby certify that the attached translation, from Spanish to English, of the Judicial Inspection, No. FJ-13000-2000, dated November 6, 2000, concerning an inspection of the Ford Explorer, with plates numbered 123-456, is accurate, true and complete, to the best of my knowledge, ability and belief.

[Signature]

MAURY MARGARET SCHARRE

The foregoing instrument was acknowledged before me this 25th day of January, 2001, by Maury Margaret Scharre who is personally known to me and who did not take an oath.

[Signature]

NOTARY PUBLIC

[Seal]
SOLICITANTE (S): MIGUEL ANGEL GÓMEZ MARTÍNEZ

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: Municipio Bruma de la Circunscripción Judicial del Estado Yaracuy.


FECHA DEVOLUCIÓN: Día  Año.
Ciudadano
Juez del Municipio Arumal de la Circunscripción Judicial Rocíaro.

Se Despacho.-

Yo, MIGUEL ÁNGEL COLMENARES MONCADA, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la Cédula de Identidad No. V-7.067.502, abogado en ejercicio, inscrito en el INPREABOGADO bajo el No. 30.705, proceiendo en este acto en mi carácter de apoderado, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el No. 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., competirá ante denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el No. 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el No. 2, Tomo 8-A, ante usted respectivamente ocurro y espongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimientos Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvié el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se
encuentra el vehículo inspeccionado. Se dé constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejíduem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sus reproducciones fieles y exactas de los hechos evidenciados en la presente inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. En gracias que espero, en la fecha de su presentación.

Presentado por sus firmantes en hora de despacho de este 06 de noviembre 2000, a las 11:30 de la tarde.

[Signature]

[Stamp]
JUZGADO DEL MUNICIPIO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO TARACUT.

Chivacoa, 06 de Noviembre del 2.000.-
Año: 1909 y 1213.-

Vista la anterior solicitud. Se acuerda conforme lo pedido, en consen-
cuencia se fija la 1:00 de la tarde de esta misma fecha, para trasegar y cons-
stituirse el Tribunal en el sitio indicado en la presente solicitud y llevar a la-
practica la Exequatur Judicial solicitada.

[Signature]

Abogado ponente: [Signature]

[Signature]

La Secretaria Acc.

[Signature]
la fecha de hoy, Sefi de Noviembre del año Dos Mil, como estaba acordado se trasladó y cons tituyó el Tribunal el Estacionamiento Bruzuel, ubicado en la Autopista Centro Occidental, sentido Oeste Este, con el Solicitante, Dr. Miguel Ángel Colmenero, actuando con su carácter de autos, a fin de llevar a la práctica la Inspección Judicial solicitada, a tal efecto se nombró Fotógrafo de los ciudadanos Juan Pablo Montenegro Sánchez y Pe Stación de Jueves, título en las Cédulas de los ciudadanos José Rosas, 13.104.440 y 11.089,976 respectivamente, quienes estando presentes aceptaron el cargo y juraron juramento de Ley y juramento cumplir su función y fielmente. El Tribunal decide dejar constancia de los siguientes hechos: El particular PRIMERO, el Tribunal deja constancia que se encuentra constituido en el lugar del Estacionamiento Bruzuel de esta ciudad de Chihuahua, específicamente en la margen derecha de la Autopista Centro Occidental sentido Oeste Este, en el cual se encuentra un vehículo marca Ford, Modelo Explorer XLT 4x4, año 97, 6 cilindros, Color: Azul, Placas: JAB-331. En GUISO el Tribunal deja constancia que efectivamente el vehículo inspeccionado tiene cuatro (4) cañones instalados con sus respectivos - Rines. Al particular TERCERO, el Tribunal deja constancia que el autorizó la inspección del vehículo mecánico, - que los cañones del vehículo están en buen estado y su banda de rueda está totalmente nueva, los cuatro cañones se encuentran desin montados. Al particular CUARTO, el Tribunal ordena al perito fotográfico, el cual tomó fotografías e inspeccionó el vehículo en la Cámara que posteriormente será identificada, y las cuales se ordenan agregar a la presente inspección para que formen parte de la misma. Al particular SEXTO, el Tribunal ordena que la firma de intervención y - condición en que se encuentra el vehículo inspeccionado, que las fotografías sean anexadas a la presente inspección. Al particular SÉPTIMO, el Tribunal deja constancia de que el vehículo inspeccionado es la siguiente: puertas derechas, parabrisas reventado, frente descubierto. En este estado intervino el Solicitante y se tomó la instantánea de que se presenta el vehículo, al momento del particular Matriz 1/4 de milímetros que presenta el vehículo en el momento de la intervención, que el KILOMÉTRICO que presenta es de Cincocientas y cuatro Mil Nuevecientos Cincuenta y cinco (54,955) kilómetros recorridos.
dos. El perito fotógrafo presenta para su vista una cámara marca Polaroid, 636 Close Up con la cual se hacen las reproducciones fotográficas. El testigo cumplió como ha sido su misión, ordena al regreso a su naturaleza.

El Juez de

Abq. Pizano y Pizano

Perito Fotográfico,

El Solicitante

Perito Métrico

La Secretaria A.C.,

Yanez Gutiérrez
### Petitions

**REPUBLIC OF VENEZUELA**

(Coat of Arms)

**JUDICIAL BRANCH**

**CIVIL JURISDICTION**

**PETITIONS**

**RECORDS**

<table>
<thead>
<tr>
<th>PETITIONER(S):</th>
<th>MARIELITA IDROGO OVIEDO</th>
</tr>
</thead>
</table>

**REASON:** JUDICIAL INSPECTION

**COURT:** JUDICIAL INSPECTION

**DATE OF ENTRY:** Day: 04 Month: DECEMBER Year: 2000

**DATE RETURNED:** Day: _____ Month: _____ Year: _____

No. 323

C.22
Citizen:

THIRD JUDGE IN AND FOR THE MUNICIPALITY OF IRIBARREN IN THE JUDICIAL
DISTRICT OF THE STATE OF LARA

In his office.

I, MARIELITA IDROGO OVIEDO, a citizen of Venezuela, of age, a practicing Attorney,
holder of identity card No. 9,608,220, registered with the Venezuelan Bar Association under No.
45,435, and a resident of this City, respectfully appear before you and state and petition as
follows:

For legal purposes that are of interest to me, I respectfully request that the Court over which your
Honor presides be transferred and called to order at the following address: Old Carora Highway,
Pavia District, El Corralon Parking Lot in the Municipality of Iribarren in the State of Lara;
pursuant to Articles 192, 936 and 938 of the Code of Civil Procedure, and Article 1,429 of the
Civil Code. I also swear that this case is an emergency, and I would ask this Honorable Court to
set aside the necessary time, thus obviating the distribution requirement; so that it may put on the
record on the following items by means of a Judicial Inspection: ONE: As to the presence at
the location at which the Court is called to order of a vehicle: Make: FORD, Model:
EXPLORER, and the type, year, color and plates of the inspected vehicle.- TWO: As to
whether the vehicle identified above has four (04) tires fitted one on each of its rims. THREE:
As to the make, type and serial number of each of the tires fitted on each rim of the inspected
vehicle. FOUR: That photographs be taken of each of the tires fitted on each rim of the
inspected vehicle. FIVE: That photographs be taken of the bodywork and that the condition of
the inspected vehicle also be put on the record. SIX: That the general condition of the inspected
vehicle’s bodywork be put on the record. SEVEN: As to any other fact or circumstance, that I
reserve the right to indicate [same] in due course.

Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the
provisions of Article 502 of the same nature, I request that the photographic reproduction be
ordered of the items expressly specified above and
any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed.

Furthermore, I would ask that the said photographs taken in this Court’s presence, that are true and correct reproductions of the facts evidenced in this judicial inspection, be added to this Judicial Inspection. ------------

Lastly, I would request that once this petition has been dealt with, the original be returned to me together with the results thereof.

Trusting in the Court’s grace, on the date of the filing hereof.

(Signed) (Illegible)

(Stamp)

BOLIVARIAN REPUBLIC OF VENEZUELA
...JUDICIAL DISTRICT
(Seal)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY ........

(Stamp)
RECEIVED DURING OFFICE HOURS
TODAY, DECEMBER 1, 2000
CONSISTING OF 01 SHEETS OF PAPER

THE CLERK
(Signed) (Illegible)

(Stamp with signature - illegible)
BOLIVARIAN REPUBLIC OF VENEZUELA
...JUDICIAL DISTRICT
(Seal)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN

LOG
(Stamp) (Illegible)
Entry No. J3
BOLIVARIAN REPUBLIC OF VENEZUELA

THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN IN THE
JUDICIAL DISTRICT OF THE STATE OF LARA
BARQUISIMETO. December 1, 2000

Years: 190th year of Independence and 141st year of the Federation

Forward to the 8th Court in and for the Municipality
Of Iribarren in the Judicial District of the State
Of Lara, to which it has been assigned.

THE JUDGE
(Signed) (Illegible)
RAFAEL ANTONIO ALBAHACA MENDOZA

(Stamp)
BOLIVARIAN REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
(SEAL)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN

CLERK
(Signed) (Illegible)
MARIA MILAGRO SILVA.

( Partial stamp in left margin)
... Iribarren

Forwarded on this same day consisting of two sheets of paper.

Clerk
(Signed) (Illegible)
(Stamp)
BOLIVARIAN REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
(SEAL)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN
THIRD COURT IN AND FOR THE MUNICIPALITY
OF IRIBARREN IN THE JUDICIAL DISTRICT
OF THE STATE OF LARA
BARQUISIMETO, DECEMBER 4, 2000

Having reviewed the foregoing petition, it is ordered that it be admitted, complied with
and returned. It is ordered that the Court be transferred and called to order at the location
indicated for holding the requested Judicial Inspection, having first set aside the necessary time
and the emergency nature of the case having been stated under oath; and 3:00 p.m. today is
scheduled therefor.

(Partial stamp in left margin)
.... IRIBARREN

THE JUDGE
(Signed) (Illegible)
DR. RAFAEL ANTONIO ALBAHACA M.

(Stamp)
BOLIVARIAN REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
(Seal)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN

CLERK
(Signed) (Illegible)
MARIA MILAGRO SILVA.
Wp.-
At 3:00 p.m. today, the fourth day of December, two thousand, during office hours, the Court was transferred to and called to order on the premises of the “El Corralón” Parking Lot located on the Old Carora Highway, Pavia District, Km. 7, in order to conduct the requested Judicial Inspection. Giovanni Marchioni, holder of Identity Card No. Medina, was appointed as the Expert Mechanic and Citizen Rubén García Curía, holder of Identity Card No. 5,251,231 12,092,014 [sic] was appointed as the Expert Photographer, and both being present, they accepted the assignment and promised under oath to fulfill their duties. The Court was called to order at the indicated location and it subpoenaed for its mission: César Enrique Giffoni Barra, holder of Identity Card No. 9,542,586, in his capacity as General Coordinator of the Parking Lot. The Court then proceeded to make a statement on the record as to the following items: Item ONE, that there was a vehicle that had been deposited at the above-mentioned parking lot, Make: Ford, Model: Explorer, Color: gray, year 2001, Chassis serial number 8XDU60E318A10178, with no plates ....
and no serial number visible on the engine, with a mileage of 1,055 kilometers. **Item TWO:** The Court stated for the record that the inspected vehicle was fitted with four (4) tires one on each of the respective rims, Make: Goodyear, Wrangler R/T/S, size: LT 235/75R15. **Item THREE:** The inside had been emptied out. **Item FOUR:** It was agreed to add the photographs once they were developed. **Item FIVE:** It was noted that the vehicle was totally wrecked, apparently as a result of a rollover, the windshield and windows were broken, the rims were bent, the rear view mirror was broken, the tires were damaged, the axle was loose. It was noticed that the front assembly torque arm was broken, the bodywork was in bad shape and damaged, the paint work was damaged, and the vehicle was generally unusable. It was agreed to add the developed photographs to this inspection. **Item SIX:** The inside had been emptied out. That is all. It was completed, read and signed by the undersigned who were in agreement therewith. The Court returned to the Courthouse at 4:15 p.m.

The Judge:
(Signed) (Illegible)
Dr. Rafael Alabahaca Mendoza
(Sign)
BOLIVARIAN REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
 NGOs
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN

The Subpoenaed party:
(Signed) (Illegible)
(Stamp) EL CORRALON S.R.L.
(Illegible) Setsa DRTR-PE A-0005.99

The Petitioner:
(Signed) (Illegible)

The Expert:
(Signed) (Illegible)

The Photographer:
(Signed) (Illegible)
The Clerk:
(Signed) (illegible)
MARIA MILAGRO SILVA

The pleadings, consisting of fifteen (15) sheets of paper and eighteen (18) photographs with negatives, were returned immediately.

Clerk
(Signed) (illegible)

(Partial stamp in left margin
.. VENEZUELA
... IRIBARREN

(Two Stamps)
BOLIVARIAN REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
(Seal)
BARQUISIMETO
STATE OF LARA
THIRD COURT IN AND FOR THE MUNICIPALITY OF IRIBARREN
(Newspaper article)

Hernan Velasquez, President of Asoexplorer-Lara

2001 Explorers also have accidents

(Caption) The 2001 Explorer that rolled over on Riberanta Avenue. (Photo supplied by Hernán Velasquez)

Jairo Márquez Lugo.

The president of Asoexplorer-Lara, Hernán Velásquez, alleged that 2001 Ford Explorers contain the design defects noted in their predecessors, which have caused numerous accidents and claimed several victims to date.

To back his allegations, he cited the case of an owner – whose name he did not provide – who on Sunday, November 19, rolled over in one of these trucks by the Police Unit on Riberanta Avenue, when he was travelling between 90 and 100 kilometers per hour.

He mentioned that the truck’s wheels locked, which caused it to immediately roll over 3 or 4 times. He stated that the tires did not lose their tread.

"It was the same thing that happened to the truck that rolled over between Caseteja Road and Yaritagua, which, according to witnesses immediately rolled over once. A girl of 16 was killed in that accident," he said. He stated that in this regard, the tires are just one of many causes creating instability in the Explorer.

(handwritten) EL INFORMADOR

CERTIFICATE OF TRANSLATION ACCURACY

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, MAURY MARGARET SCHARRER, duly certified by the University of Miami, Coral Gables, Florida, for proficiency in the Spanish language, hereby certify that the attached translation, from Spanish to English, of the Judicial Inspection, No. 323, dated December 4, 2000, concerning an inspection of the Ford Explorer, with no plates, Chassis Serial No. 8XDUU60E318A10178, is accurate, true and complete, to the best of my knowledge, ability and belief.

MAURY MARGARET SCHARRER

The foregoing instrument was acknowledged before me this 25th day of January, 2001, by Maury Margaret Scharrer who is personally known to me and who did not take an oath.

NOTARY PUBLIC

[SEAL]
SOLICITANTE (S): MARIELITA IDROGO OJEDA

MOTIVO: INSPECCION JUDICIAL

JUZGADO: INSPECCION JUDICIAL

FECHA DE ENTRADA: Día 24, Mes DICIEMBRE Año 2000

FECHA DEVOLUCION: Día ______, Mes ______ Año ______
1. Ciudadano
3. Su despacho...
4. Yo, MARIELITA IDROGO OVIEDO, venezolana, mayor de edad, Abogado en ejercicio, titular de la cédula de identidad N° 9.608.220, inscrita en el Instituto de Previsión Social del Abogado bajo el N° 45.435, y de este domicilio, ante usted.
5. Respectuosamente ocuro para exponer y solicitar cuanto sigue:
6. Para fines legales que me interesan, solicito respetuosamente que traslado y constituya el Tribunal a su digno cargo, en la siguiente dirección Carretera Vieja Vía Carora, Sector Pavia, Estacionamiento El Corralón del Municipio Iribarren, del Estado Lara, de conformidad con los artículos 192, 938 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, asimismo juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvié, el requisito de la distribución; a fin de dejar constancia por vía del Inspección Judicial, de los particulares siguientes: PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca FORD, Modelo: EXPLORER, y el tipo, año, color y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (04) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se toman fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. QUINTO: Se toman fotografías de la carrocería, y asimismo se deje constancia de las condiciones en que se encuentra el vehículo inspeccionado. SEXTO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. SEPTIMO: De cualquier otro hecho o circunstancia me reserve el derecho de señalar en su debida oportunidad.
8. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de
Cualquier otro que expresamente me reservo señalar en la oportunidad de la práctica.

Así mismo, solicito al tribunal que las referidas fotografías que fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, sean agregadas a esta inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelto original con sus resultas.

Es justicia, que solicito en la fecha de su presentación.

[Signature]

[Stamp: Recepción en horas de apertura]

[Stamp: El día de hoy]

[Stamp: [Signature]]

[Stamp: LA FE DE URUGUAY]
REPÚBLICA BOLIVARIANA DE VENEZUELA

JUZGADO TERCERO DEL MUNICIPIO IRIBARREN DE LA
CIRCUNSCRIPCION JUDICIAL DEL ESTADO LARA.-
BARQUISIMETO: DE 2.000
AÑOS: 190° y 141°

Remítase al juzgado del Municipio
Iribarren de la Circunscripción Judicial del Estado
Lara, por corresponderle el turno.

LA SECRETARIA

MARIA MILAGRO SILVA.

En la misma fecha se remite constante de
los útiles.

La sec.
JUZGADO TERCERO DEL MUNICIPIO
TRIBUNAL DE LA GRAN NOROESTE JUDICIAL
DEL ESTADO NUEVA

Buenavista, 04 de Diciembre de 2001
Año 19 de 141

Vista la anterior solicitud, admitida, evácuelse y desvélase. Transítese y constitúyase el Tribunal en el lugar señalado para la práctica de la inspección judicial solicitada. Previa habilitación del tiempo necesario jurada la urgencia del caso, para lo cual se fijan las 3:00 am. del día de hoy.

[Sellos y firmas]

LA SECRETARIA

MARILÉN MELGAR SIBAJA

[Signature]
Llegó a despacho del juez de hoy,
mediante el presente el juez de hoy,
mediante el presente el juez de hoy,
mediante el presente el juez de hoy,
mediante el presente el juez de hoy,
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1205

No hay record visible del motor y un
Kilometraje de 10.55 Kilómetros.

Segundo: El testigo constató que el
vehículo presentó cuatro (4) llantas
con sus respectivos rines, Chrysler Town
& Country, Dodge Grand

Wagoner RT 5, medido: 27235/1
95 R15. Al escaso: Quedó evaluado en
el anterior, Al Cuerpo: Se acude a agrega
las fotografías que se verifican:

Al Cuerpo: El vehículo se observa totalmente
destruido, producto aparentemen-
te de un vehículo, presentando pre-
batasnas y vidrios rotos, piso de llantas
retraso, piso, llantas dañadas, puente, se observa la batería intacta del
frenos delanteros roto, carrocería en malas
condiciones, arco de pintura dañado,

En líneas generales vehículo inutilizado.

Se acude a agregar las fotografías relaci
a la presente inspección. Al Cuerpo:
Quedó evaluado en el anterior. Es todo.
Con motivo, se leyó y firmaron testigos.

El testigo:

[Signatures]
La Secretaría:

Se adjuntan las actas en cuadernos de folio (15) folios, y 9 rollos de 18 fotografías en sus negativos.
Héctor Velaázquez, presidente de la Asociación Lara

En Explorers 2001 también se producen accidentes

La Explorer modelo 2001 que se ve en la Riberita. (Fue proporcionada por Héctor Velaázquez)

El presidente de la Asociación Lara, Héctor Velaázquez, afirmó que las Fuerza Explorer modelo 2001 presentan las fallas de diseño registradas en sus antecesoras, las mismas que hasta el momento han originado numerosos accidentes y han cobrado varias víctimas.

Para subsanar sus afirmaciones, citó el caso de un propietario -que no propició el hecho- que el miércoles 29 de noviembre voló una de estas camionetas a la altura del Módulo Policial de la misma la Riberita, causando vitreas 50 y 50 kilómetros por hora.

Mencionó que las medidas de la camioneta se fueron, lo que ocasiona que el mismo deriva 5-4 varías de caída. Los cuadros en priec

El INFORMADOR

20-11-02
REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

NÚMERO: 3493

SOLICITANTE (S): JUANITO VELARDE, MANUELITA

MOTIVO: INSPECCIÓN JUDICIAL

JUGADO-PRIMERO DE MUNICIPIOS SAN FRANCISCO, COLOMBIA, DEPENDENCIAS Y VIGORE DEL


FECHA DEVOLUCION: Día: Mes: Año:
Ciudadano

Juez del Municipio San Felipe de la Circunscripción Judicial del Estado Yanacuy.

Su despacho.

Yo, MARIELITA IDROGO OVIEDO, venezolana, mayor de edad, Abogado en ejercicio, titular de la cédula de identidad N° 9.608.226, inscrita en el Instituto de previsión Social del Abogado bajo el N° 45.435, y de este domicilio, ante usted respetuosamente ocurro para exponer y solicitar cuanto sigue:

Para fines legales que me interesan, solicito respetuosamente que traslade y constituya el Tribunal a su digno cargo, en la dirección que oportunamente señalaré, de conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, asimismo juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie, el requisito de la distribución; a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes: PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca FORD, Modelo: EXPLORER, placas KAK-02M y el tipo, año, color que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (04) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. QUINTO: Se tomen fotografías de la carrocería y la parte inferior del vehículo inspeccionado, y asimismo se deje constancia de las condiciones en que se encuentra el vehículo inspeccionado. SEXTO: Se deje constancia de las condicion generales en que se encuentra la carrocería del vehículo inspeccionado. SEPTIMO: De cualquier otro hecho o circunstancia me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y
Así mismo, solicito al tribunal que las referidas fotografías que fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, sean agregadas a esta inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelta original con sus resultados.

Es justicia, que solicito en la fecha de su presentación.
San Felipe Enero 10, de 2001
19h. y 14h.

Vista la presente solicitud, désele entrada, tómese razón
y cumplase. Se fija la hora de la , del día de hoy, para el
traslado y constitución del Tribunal, a objeto de practicar la
Inspección Judicial solicitada. Tómese razón en el Libro Diario.

Juez Temporal,
YULMAN GARCIA

La Secretaria,
MARIANA R. DE GARCIA

En la misma fecha se le dio entrada en el Libro de Solicitudes bajo
el Nro. 3403, y se tomó razón en el Libro Diario.

La Secretaria,
MARIANA R. DE GARCIA
---GADO PRIMERO DE LOS MUNICIPIOS SAN FELIPE, COCOROTE, INDEPENDENCIA
VERDES DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO YARACUY.

San Felipe Enero 12, de 2001
1904. y 141t.

Practicada como ha sido la presente Inspección Judicial,
devuélvase las actuaciones originales al solicitante. Désele sali-
da en el Libro respectivo y téngase razón en el Libro Diario.

---DIARIO---

La Secretaria,

HAYDEN R. DE GARCIA

En la misma fecha se le dio salida, se devolvió al solicitante en-
constante de Diecisiete (17) folios útiles, se tomó razón en el Li-
bero Diario.

La Secretaria,

HAYDEN R. DE GARCIA

---DIARIO---
La presente gráfica nos muestra un aspecto general de la entrada del
Estacionamiento Municipal "TAM" ubicado en la Avenida Intercoanal
Sector Independencia, Municipio de Independencia, San Felipe Estado-Tarnor.-
La presente gráfica nos muestra una escena de la entrada principal del Estacionamiento Municipal "IMA", ubicado en la Avenida Interc communal, sector Ushuaia, Municipio La Independencia, San Felipe Retiro, Tucumán.
La presente gráfica nos muestra mediante una flecha elaborada con tinta de color azul, un aspecto general de un vehículo automotor marca "FORD" modelo EXPLORER, año 1998, color Verde, serial Carrocería: AT0692652, serial motor: V-8, placa: XAY-254H; al ser revisada minuciosamente se le observa que los vitrales del Parabrisas, puerta lado derecho anterior y posterior, lateral derecho e izquierdo, compuerta y puerta posterior izquierda se encuentran fracturados; el capó y techo presentan abolladuras con huella; mismo que por sus características de haber sido golpeado e impactado con un objeto fijo de igual o mayor anchura molecular.
La presente gráfico nos muestra un capítulo general del Neumático lado izquierdo, marcas "MODELO/TIRE", modo: 57" 225/75R15, el cual se encuentra desinflado, y el mismo pertenece a una camioneta marcas "FORD", modelo: EXPEDER, años 1998, color verde, serial Carrocería: AMYQ040232, serial Llantas T-5, placa: MAU-021. Dicho neumático presenta su respectivo rín correda, en cuyo parte central de su copa presenta la inscripción que se lee: "FORD".
La presente gráfica nos muestra un aspecto general del neumático izquierdo delantera posterior, el cual es marca "KUMHO", modelo 95/1 145/70 R15, el cual se observa inflado, con su respectivo riel; el mismo pertenece a una camioneta marca "TOYOTA", modelo "SEIKER", año 1998, color "Verde", serial carrocería AJUER4350, serial motor T-8, placas "XX-02 K".
La presente gráfica nos muestra un aspecto general de la parte posterior inferior de un vehículo automotor, marca FORD, modelo EXPLODER, año 1998, color Verde, Serial Carrocerías QVX-40529.
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(s):

MOTIVO:

JUEZADO:

FECHA DE ENTRADA: Día __________ Mes __________ Año __________

FECHA DEVOLUCIÓN: Día __________ Mes __________ Año __________
Ciudadano
Juez Primero de los Municipios Leonardo Infante, Las Mercedes del Llano y Chaguaramas del Estado Guárico.

Su Despacho.

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juró la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se tomen fotografías de cada uno de
los cauchos instalados en cada uno de los rines del vehículo inspeccionado. **SÉXTO**: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. **SÉPTIMO**: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 cuadernos, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta inspección judicial. Pido, por último, que una vez evaduada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en la fecha de su presentación.

[Signature]

**RECEBIDO N° 22 - 01 - 2001**
**EN**
**CON**
**GNS: 81458**
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, de edad, habil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad No 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezuela), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el No: 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún (21) de diciembre de 1997, bajo el No: 2, Tomo B-A, autorizada para este acto según se evidencia en la Cláusula Duodécima de su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad No: 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjuntamente o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los nombrados Apoderados para intentar, contestar demandas, dar por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose a no su ejercicio y resumirlo en cualquier tiempo cuanto a bien.
tivencia de los Tribunales, funcionarios y Organismos competentes de la República, los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado. Se instruido que las facultades aquí enunciadas son a título meramente notarial, sin carácter de invitación. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valencia, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ
VERIFICACIÓN REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

ANTE EL JUZGADO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 29-07-97, BAJO EL N° 1, COMPLÍCADA SUS REFORMAS EN UN SOLO CUERPO, Y MANIFIESTA EN EL REGISTRO MERCANTIL PREMIO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, LA CLÁUSULA DODÉCIMA EN SU PARTE "C" DEL DOCUMENTO CONSTITUYENTE JUDICIAL, E IGUALMENTE DESEARÍA CONSTATAR QUE PARA ESTE ACTO AUTORIZÓ A LA CIUDADANA MARÍA VICTORIA RODRÍGUEZ CON CÉDULA DE IDENTIDAD 0-7-048, 106, EN LA LOCALIDAD DE ESTA NOTARÍA PARA PRESENTAR Dicho OPORTUNAMENTE CONFORME EL ARTÍCULO 29 DEL REGIMIENTO DE NOTARÍAS PÚBLICAS EN LAS OFICINAS DE FIRESTONE EN CARRETERA VIEJA VIA LOS GUAYOS EN VALENZA, A LAS 10:00 PM.

EL Poderdante.

LOS TESTigos.

EL Funcionario Autorizado.
Este es el acta de los Municipios Llerenos Inteles, Los Perdidos del Llanos y Calles de la Circunscripción Judicial del Estado Guárico. Valles de la Pascua.

Veredas de Encero del Dos Mil Uno.

1938 y 1438

Este la solicitud que presente, suscrita por la ciudadana MARCELIS DEL

VERACRUZ, mujer de edad, titular de la Cédula de Identidad

No: 2,021,214, Abogada en ejercicio, inscrita en el Inscríbeme bajo el N° 120 en su carácter de Abogada de la Empresa BRIDGESTONE MESSICANO, en conformidad a lo

constituido en su escritura. Con permiso de la solicitud citada por este ha

seguido en la Secretaría de Hacienda del Estado Guárico, en fecha Veinticinco de Octubre del Dos Mil, efectuada bajo el N° 41, Toma 79, de los Libros de contabilidades

reconocido, solicitud esta radicada a este Tribunal por distribuirlo, dado en el lugar en el acto respectivo y su curso de ley. En consecuencia, juzgador y

constituye esta solicitud en el acto indicado por la solicitante y leírse a

efecto la Inspección Judicial a que se opone el escrito que acompaña a este acto

constituido. Designe el Procurador de la Firma y Procurador en su representación, en la Ley, habilitadas para el tiempo necesario para ello, por haber sido

debe apreciar el caso por la solicitante. Dejados enteros certificados.

El Juez Temporal

Dra. Eneida Elizalde Mejías

La Secretaría Ant.

Adj. Elizalde C. Campos L.
... el Juzgado de Enfermo del año Dos mil Uno, pendiente, las 2:30 p.m., oportunamente juzgado por el Tribunal para llevar a cabo la inspección judicial a que se opone la potestad que antecede, al Tribunal de Juicio y Constitucional, quien indicación de la potestad, al Hilo denominado Municipal, jurisdicción del Municipio de los Hermanos de Dios, Estado Guayana, extendiendo que su presencia sea notificada en el Juzgado del Valle Orinoco Nuevo, Venezuela, mayor de edad, titular de la C.I. n° 1.082.194, domiciliado en Barinas, inscrito en el I.B.S.A. n° 2314, domiciliado en el Municipio de San Juan de los Morros, declarando la notificación a todos los interesados, al Juzgado del Tribunal de su ciudadanía: José de Jesús Sánchez, venezolano, mayor de edad, titular de la C.I. n° 1.301.547, domiciliado en el Municipio de San Juan de los Morros, declarando la notificación a todos los interesados, al Juzgado del Tribunal de su ciudadanía: Domingo González Alfonso, venezolano, mayor de edad, titular de la C.I. n° 1.039.514, domiciliado en Barinas, declarando la notificación a todos los interesados, al Juzgado del Tribunal de su ciudadanía: Pedro José Carmelo Henríquez, venezolano, mayor de edad, titular de la C.I. n° 109.283, del mismo domicilio, debe revisar y presentar pruebas...
1245

en perfecto estado. Quinto: el Tribunal de
constancia de que se tomaron fotografías (Otra II) de los canchos instalados,
de tal manera que la parte del vehículo inspeccionado, sexto: el Tribunal deja constancia de que se tomaron fotografías
de la carrocería del vehículo inspeccionado.
de dicha carrocería está en las piezas.
Sexto: el Tribunal deja constancia de que se encuentran de la carrocería
del vehículo inspeccionado con cuerdas por
Los siguientes: Divergente izquierdo, funda
mente de dicho, parabrisas políaca, vidrios de.
ventanas (Puertas) políaca, parabrisas roto, trompa
decomplacida, retrovisor roto, puertas decom
placidas y con fundamento con este estado
le solicitante hace uso del particular
rettro y sujeto. Sexto: el Tribunal deja
constancia del kilometraje que presenta el
vehículo e igualmente deja constancia del
ancho de los paneles instalados, séptimo se
placa de ventanas por la solicitante al
Tribunal deja constancia de que el vehículo
de un kilometraje presentó 58.999
kilómetros, y igualmente se deja constan
cia de que los paneles del vehículo inspeccionado
hasta por de una medida de 10 pulgadas
de mucho. El Tribunal deja constancia de
que la cámara fotográfica utilizada para la toma de fotos en la presente inspección es de marca: Polaroid 636, Close Up. El Tribunal deja constancia de que la persona notificada manifestó no poder fumar. Cumplida como ha sido la mención del Tribunal, este ordena el periómetro a que pase naturalmente las 6.20 minutos de la tarde. De todo, termino de leyo y conformo firmar:

[Signature]

[Signature]

El Fotógrafo.

[Signature]

La Secretaria.

[Signature]
Seguidamente se devuelven las presentes actas (en forma original) con sus respectivas constancias de Doca (12 folios) útiles a la solicitante.

Firmado:

[Señalización]
REPUBLICA BOLIVARIANA DE VENEZUELA

PODER JUDICIAL
JURISDICCION CIVIL
SOLICITUDES

ARCHIVO

SOLICITANTE(S)

MOTIVO:

JUZGADO:

FECHA DE ENTRADA
Día ______ Mes ______ Año ______

FECHA DEVOLUCION: Día ______ Mes ______ Año ______
01-844

Noveno Decimo Octavo de Municipio de la Circunscripción Judicial del Área Metropolitana de Caracas. Su Despacho.

Yo, ARACEIS DEL VALLE URDANETA NAVA, venezolana, mayor de edad, abogada, domiciliada en la ciudad de Valencia, Estado Carabobo, titular de la cédula de identidad número V-7.082.174, e inscrita en el Instituto de Previsión Social del Abogado bajo el número 30.706, aquí de tránsito; procediendo en este acto en mi carácter de apoderada de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. (antes denominada Firestone Venezolana), sociedad mercantil inscrita originalmente en el Registro de Comercio que llevaba el Juzgado de Primera Instancia en lo Mercantil del Distrito Federal en fecha 4 de julio de 1944, bajo el número 1667, Tomo 6; posteriormente domiciliada en la ciudad de Valencia, Estado Carabobo, inscrita en el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial, Valencia, el 23 de octubre de 1956, bajo el N°1, hoy llevado por el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo, cuya última reforma del documento Constitutivo y Estatutos Sociales fue registrada por ante dicha Oficina de Registro el 22 de enero de 1997, bajo el N° 2, Tomo 8-A. Dicha representación la ejero de conformidad con el poder que en fecha 25 de octubre de 2000, BRIDGESTONE FIRESTONE VENEZOLANA, C.A., otorgó por ante la Notaría Pública Sexta del Municipio Valencia del Estado Carabobo, el cual quedó anotado bajo el Número 41, Tomo 79, de los Libros de Autenticaciones llevados por dicha Notaría, cuya copia acomplia a la presente solicitud marcada "A", ante usted de conformidad con lo pactado en el artículo 1.429 del Código Civil, en concordancia con lo establecido en el Libro Segundo, Sección 4°, Capítulo VII, último aparte del artículo 472 del Código de Procedimiento Civil, con todo respeto ocurro para solicitar el traslado y constitución del Tribunal en el comercio denominado Taller Las Vegas, situado en el sector denominado Coco Frio, ubicado a la altura del kilómetro 4 de la carretera que
Conduce de la ciudad de Caracas al Junquito, Caracas, para que por vía de Inspección Ocular se sirva verificar y dejar constancia de las personas, objetos, cosas, lugares, bienes y documentos a que se refieren los siguientes particulares:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de los vehículos Marca: Ford, Modelo: Explorer, Tipo, Color, Serial de Carrocería, Placas; así como también de cualesquiera otros datos que permitan una mayor y mejor identificación de los vehículos objeto de Inspección.

SEGUNDO: Que los vehículos identificados en el punto PRIMERO de esta solicitud, tienen instalados los cauchos en cada uno de sus rines.

TERCERO: De la marca, tipo, serial y cualesquiera otras características de cada uno de los cauchos instalados en cada uno de los rines de los vehículos objeto de la inspección.

CUARTO: De conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 392 ejusdem, se ordene la reproducción fotográfica de los vehículos, cauchos, rines, bandas de rodamiento y demás objetos y cosas que expresamente me reservo señalar, al momento de la práctica de esta inspección ocular. Para los fines anteriormente indicados, pido al Tribunal se sirva designar un práctico fotógrafo y un práctico mecánico para que le asistan al momento de la evacuación de la Inspección. Asimismo, solicito a la ciudadana Juez, se sirva dejar expresa constancia, de que las fotografías tomadas al momento de la práctica de la inspección fueron realizadas en su presencia, y que por lo tanto, sean consideradas como reproducciones fieles y exactas de los hechos presenciados, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Ocular con la finalidad de que formen parte integrante e inseparable de la misma.

QUINTO: De las condiciones generales de los cauchos, colocados en cada uno de los
SEXTO: Me reservo igualmente en nombre de mi representada, el derecho de dejar expresa constancia de cualquier otro hecho o circunstancia que, como solicitante, considere conveniente o necesario al momento de la práctica de esta solicitud.

SEPTIMO: A los fines de la evacuación de la Inspección Ocular aquí solicitada, juro la urgencia del caso, y a tal efecto pido al Tribunal se sirva habilitar todo el tiempo que fuera necesario para la admisión y evacuación de la solicitud contenida en este documento. De igual forma solicito de la ciudadana Juez del Despacho, se sirva devolverme en original la presente Inspección con sus resultados, una vez que haya sido evacuada.

Es justicia, que espero en esta ciudad de Caracas, en la fecha de su presentación.
REPÚBLICA BOLÍVARIANA DE VENEZUELA
JUZGADO DÉCIMO OCTAVO DE MUNICIPIO DE LA CIRCUNSCRIPCIÓN JUDICIAL
DEL ÁREA METROPOLITANA DE CARACAS. Caracas, once (11) de febrero de dos mil uno (2001).-

1902 y 1410

Por recibida y vista la anterior solicitud de Inspección Judicial y jurada como ha sido la urgencia del caso por la parte interesa, practíquese en la oportunidad que ha bien tenga el Tribunal, habilitándose el tiempo necesario a los fines de proveer acerca de la misma. En consecuencia, deseé estrecho anote en el libro respectivo y tímese auxiliar. A tales fines se fijan las 20:24 del día 06-02-2001 para el traslado y constitución del Tribunal en el lugar señalado en la solicitud.

[Signature]

[Signature]

LA SECRETARIA
YROY M. MENDOZ

IDF/barto

EXP. Nº 01-844
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, hablante del idioma español, domiciliado en la ciudad de Ibague, Estado de Tolima, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de la sociedad BRIDGESTONE FIRESTONE VENECIA, A.C., que tiene como escrito principal la sociedad de responsabilidad limitada BRIDGESTONE FIRESTONE VENZOLANA, A.C., (antes denominada T.A. VENEZOLA, A.C.), socieda inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia de la Ciudad de Ibague, en fecha veintitrés (23) de octubre de 1956, bajo el No. 1, compilada en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado de Ibague, en fecha veintitrés (23) de octubre de 1956, bajo el No. 1, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Décima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial y pleno que el presente documento declara: Que confiero en nombre de mi representada, Poder especial
tuviere para los Tribunales, funcionarios y Organismos competentes de la República, los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado. En intención que las facultades aquí enunciadas son a título meramente declarativo y no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. València, en la fecha de su autenticación.

Por BFVZ

Jorge A. González A.
REGLERIA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTO DE VALENCIA DEL Distinguido,

1259

Fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla N° 56798,

Jorge Antonio González Álvarez (Actuando en su calidad de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A."):  

Domiciliado en: VALENCIA,...........................

De Nacionalidad: EEUU/DENISE.

De estado civil: 

Título de la (s) Cédula(s) de Identidad Número(s): E-31.667.491.

Leído y confirmado el original con sus Fotocopias y firmado en estas y en el presente originals, el Notario, (los) OTRORANTE(S) expresó (eron) "SU CONTENIDO ES CERTO, Y MIA (NUESTRAS) LA (LAS) FIRMA(S) QUE APEARCE(N) AL PIE DEL INSTRUMENTO SOLUTIONE, AUTENTICADO en presencia de los testigos escritores: MILAGROS RUEDA Y MIGUEL BOADA. 

Títulares de las Cédulas de Identidad Números: V-4.872.554 Y V-4.684.501, dejándoles inserir bajo el N° 47. TOMO 79, de los libros de AUTENTICACIONES llevados por esta Notaría LA NOTARIO QUE SUSCITE HACE CONSTAR QUE TUYO PARA SU
Frente a la presencia de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., instauró ante el Registro Mercantil que lleva el Juzgado de Primera Instancia en lo Civil y Mercantil de esta circunscripción judicial, en fecha 26-3-97, bajo el nº 1, compiladas sus reformas en un solo cuerpo según lo dispuesto en la asamblea general extraordinaria de accionistas, inscrita en el Registro Mercantil, primero de esta circunscripción judicial, en fecha 26-3-97, bajo el nº 1, tomo 6-A, autorizado para este acto según lo dispuesto en la cláusula incidiaria en su parte "CC" del documento constitutivo estatutario. Igualmente se consta que para este acto autorizado a la ciudadana MARIA VICTORIA RODRIGUEZ con cédula de identidad 0-3,998.

El presente es de esta notaria para prender dicho acto conforme el artículo 45 del reglamento de notarias públicas en las oficinas de notario en carretera Vía los Cuquis en Valencia, a las ocho de la mañana.
...
En horas de despacho del día de hoy, seis (6) de febrero de dos mil uno (2001), comparece por ante este Tribunal el ciudadano LUIS FELIPE LOZANO, venezolano, mayor de edad y titular de la cédula de identidad Nº 13.308.041, en su carácter de práctico fotógrafo designado en la presente inspección, y expone: "Consigno en este acto, constante de [5] folios, las fotos a que se refiere el acta de fecha 5 de febrero de 2001. Es todo." Terminó, se leyó y conformes firman.

SECRETARIA

EL DILIGENCIANTE
REPUBLICA BOLIVARIANA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES

ARCHIVO

SOLICITANTE(S)

MOTIVO:

JUZGADO:

FECHA DE ENTRADA: Día ___ Mes ___ Año ___

FECHA DEVOLUCIÓN: Día ___ Mes ___ Año ___
Yo, ARACEIS DEL VALLE URDANETA NAVA, venezolana, mayor de edad, abogado, domiciliada en la ciudad de Valencia, Estado Carabobo, titular de la cédula de identidad número V-7.082.474, e inscrito en el Instituto de Previsión Social del Abogado bajo el número 30.706, aquí de tránsito; procediendo en este acto en mi carácter de apoderada de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. (antes denominada Firestone Venezolana), sociedad mercantil inscrita originalmente en el Registro de Comercio que llevaba el Juzgado de Primera Instancia en lo Mercantil del Distrito Federal en fecha 4 de julio de 1944, bajo el número 1667, Tomo 6, posteriormente domiciliada en la ciudad de Valencia, Estado Carabobo, inscrita en el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial, Valencia, el 23 de octubre de 1956, bajo el N° 1, hoy llevado por el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo, cuya última reforma del documento Constitutivo y Estatutos Sociales fue registrada por ante dicha Oficina de Registro el 29 de enero de 1997, bajo el N° 2, Tomo 8-A. Dicha representación la ejerzo de conformidad con el poder que en fecha 25 de octubre de 2000, BRIDGESTONE FIRESTONE VENEZOLANA, C.A., otorgó por ante la Notaría Pública Sexa del Municipio Valencia del Estado Carabobo, el cual quedó anotado bajo el Número 41, Tomo 79, de los Libros de Autenticaciones llevados por dicha Notaría, cuya copia acompaño a la presente solicitud marcada "A"; ante usted de conformidad con lo Establecido en el artículo 1.429 del Código Civil, en concordancia con lo establecido en el Libro Segundo, Sección 4°, Capítulo VII, último aparte del artículo 472 del Código de Procedimiento Civil, con todo respeto, ocupo para solicitar el traslado y constitución del Tribunal en el comercio denominado Repuestos Nuevo Chopi, situado en la calle la Guarianita, urbanización Bella Vista, de esta ciudad de Caracas; para que por vía de Inspección Ocular se sirva verificar y dejar constancia de las
personas, objetos, cosas, lugares bienes y documentos a que se refieren los siguientes parágrafos:

PRIMERO: De la presencia en el lugar donde en que se encuentra constituido

Tribunal, de varios vehículos Marca: Ford, Modelo: Explorer, Tipo, Color, Serial

de Carrocería, Placas; así como también de cualesquiera otros datos que permitan una
mayor y mejor identificación de los vehículos objeto de Inspección.

SEGUNDO: Que los vehículos identificados en el punto PRIMERO de esta
solicitud, tienen instalados los cauchos en cada uno de sus rines.

TERCERO: De la marca, tipo, serial y cualesquiera otras características de
cada uno de los cauchos instalados en cada uno de los rines de los vehículos objeto de
la inspección.

CUARTO: De conformidad con los artículos 472 y 475 del Código de
Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se
ordene la reproducción fotográfica de los vehículos, cauchos, rines, bandas de
rodamiento y demás objetos y cosas que expresamente me reservo señalar, al
momento de la práctica de esta inspección ocular. Para los fines anteriormente
indicados, pido al Tribunal se sirva designar un práctico fotógrafo y un práctico
méchanico para que le asistan al momento de la evacuación de la Inspección.

Asimismo, solicito a la ciudadana Juez, se sirva dejar expresa constancia, de que las
fotografías tomadas al momento de la practica de la inspección fueron realizadas en
mi presencia, y que por lo tanto, sean consideradas como reproducciones fieles y
exactas de los hechos presenciados, para lo cual solicito expresamente que dichas
fotografías sean agregadas a esta Inspección Ocular con la finalidad de que formen
parte integrante e inseparable de la misma.

QUINTO: De las condiciones generales de los cauchos, colocados en cada uno de los
rines de los vehículos inspeccionados y de sus respectivas bandas de rodamiento.
SEXTO: Me reserve igualmente en nombre de mi representada, el derecho de dejar expresas constancia de cualquier otro hecho o circunstancia que, como solicitante, considere conveniente o necesario al momento de la practica de esta solicitud.

SEPTIMO: A los fines de la evacuación de la Inspección Ocular aquí solicitada, juro la urgencia del caso, y a tal efecto pido al Tribunal se sirva habilitar todo el tiempo que fuera necesario para la admisión y evacuación de la solicitud contenida en este documento. De igual forma solicito de la ciudadana Juez del Despacho, se sirva devolverme en original la presente Inspección con sus resultas, una vez que haya sido evacuada.

Es justicia, que espero en esta ciudad de Caracas, en la fecha de su presentación.
REPUBLICA BOLIVARIANA DE VENEZUELA

CIRCUNSCRIPCION JUDICIAL

DEL AREA METROPOLITANA DE CARACAS, Caracas, cinco (05) de febrero de dos mil uno (2001).-

1902 y 1412

Por recibida y vista la anterior solicitud de Insespección Judicial y jurada como ha sido la urgencia del caso por la parte interesada, práctiquese en la oportunidad que ha bien tenga el Tribunal, habilitándose el tiempo necesario a los fines de proveer acerca de la misma. En consecuencia, désele entrada anotese en el libro respectivo y faese expediente. A tales fines se fijan las 3:10 PM del día 5/02/2001 para el traslado y constitución del Tribunal en el lugar señalado en la solicitud.

[Signature]

LA SECRETARIA

VRODI Fuentes

JCF/bartolo

EXP. NQ 01-B45
Yo, Jorge Antonio González Álvarez, estadounidense, mayor de edad, habiendo en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.697.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A. (antes denominada C.A. Firestone Venezolana), sociedad inscrita en ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, cumplidas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veinticinco (25) de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombré de mi representada, Poder especial pero amplio y bastante cuantía en derecho se requiere, a los Abogados Miguel Ángel Colmenares y Araceli Urdaneta Navas, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad N° 7.067.302 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de éste domicilio, para que conjuntamente o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los nombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y recusaciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituyéndolos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien...
suviosos, para las Tribunales, funcionarios y Organismos competentes de la República, los Estados, y Municipios, y demás personas naturales o jurídicas de carácter público o privado. En entendido que las facultades aquí enunciadas son a título meramente administrativo, más no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valencia, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
RECLAMADA: BOLIVARIANA DE VENEZUELA.

NOMBRAMIENTO PÚBLICO: SEXTO DE VALENCIA DEL MUNICIPIO DE VALENCIA DE LA RÍO DE DRA. FIRMADO EN EL ACTO DEL FIRMADO.

Inicio en el INPREABOGADO bajo el No. 5752. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla N° 5679.

Lugar: Valencia, el 10 de julio de 2000. Presente(s) sus(o) otorgante(s) dijeron:

JURADO: JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en escrito como delegado de Presidente de "BRIDGESTONE FIRESTONE VENEZUELANA, C.A.")

MAYOR(es) DE EDAD, DOMICILIADO(S) en: VALENCIA.

DE NACIONALIDAD ES: ESTADOUNIDENSE.

DE ESTADO CIVIL: CASADO.

TITULAR ES DE LA(S) Cédula(s) de Identidad Número(s): E-81,607,491.

Reconocido y confundido el original con sus fotocopia y firmado en este y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso(ron) "SU CONTENIDO ES CIERTO Y LA(s) (N)FORMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO" LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escritoles: MILAGROS RUIZ Y MIGUEL BOADA. TÍTULARES de las Cédulas de Identidad Números: V-4,872,556 y V-4,684,501, dejándolo inserto bajo el No. 72, TOMO 72, de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVIÓ PARA SU
VERIFICADO REGISTRO DE BRIDGESTONE TIRESTONE VENEZOLANA, C.A., INSCRITOS ANTE EL REGISTRO MERCANTIL QUE LLEVÓ EL JUICIO DE PRIMERA INSTANCIA EN LA CEPI Y MERCANTIL DE ESTA CIRCUNScriPCIÓN JUDICIAL, EN FECHA 23-07-86, BAJO EL N° 7, COMPIlADAS SUS REFORMAS EN UN SOLO CUERPO SEGÚN CONVOCAT RIA DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSERIDA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNScriPCIÓN JUDICIAL, EN FECHA 11-07-87, BAJO EL N° 5, TOMO 8-A, AUTORIZADO PARA ESTE ACTO SEGÚN SE EXTRAE DEL CLÁUSULA DE MODIFICACIÓN EN SU PARTE "C" DEL DOCUMENTO CONSTITUCIONAL ESTATUTARIO. E IGUALMENTE DEBE SEñAR QUE PARA ESTE ACTO AUTORIZÓ A LA CIUDADANA MARÍA VICTORIA RODRIGUEZ CON CÉRITLA DE IDENTIDAD N° 7-1048, ESCRITURA Y DE ESTA NOTARIA PARA PRESENTAR Dicho OTORGAMIENTO CONFORME EL ARTÍCULO 34 DE LA LEY DE NOTARIOS PUBLICOS EN LAS OFICINAS DE NOTARIA "IA" CARRETERA VIEJA VIA LOS HUEROS EN VALENCIA, A LAS 10:00 PM.

EL PRESENTANTE.

LOS TESTigos:

EL FUnCIONARIO AUTORIZADO.
En el día de hoy, durante el desarrollo del caso, se dio cuenta de que el proceso judicial que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a cabo, el tribunal que estamos llevando a caso.
Fue la cuarta causal de la amenaza.

El Padrón: el Tribunal aportó la constancia que el carril derecho izquierdo es de marca Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril derecho marcado Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419, y el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419. Al continuar con la misma sucesión antes, el Tribunal aportó la constancia de que el carril derecho izquierdo es de marca Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril derecho marcado Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419, el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419. En presencia del Tribunal de Acuerdo: el Tribunal aportó la constancia, con la ayuda del Fiscal, que los carriles están marcados con buen nivel, en buen estado de conservación y mantenimiento, al igual que la banda de rodadura que también se encuentra en buen estado. Al Padrón: la constancia del Padrón es de que el carril derecho izquierdo es de marca Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril derecho marcado Good Year tipo Wrangler R1S P255/70 R16, Serial DOT PBTR 275A 419, el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419, y el carril izquierdo marcado Good Year tipo Wrangler GT 255/70 R16, Serial DOT PBTR 275A 419. La constancia marca un kilómetro de 55,408 km. Se dice constancia que la cantidad presentada después...
En horas de despacho del día de hoy, seis (6) de febrero de dos mil uno (2001), comparece por ante este Tribunal el ciudadano LUIS FELIPE LOZANO, venezolano, mayor de edad y titular de la cédula de identidad No 13.508.041, en su carácter de práctico fotógrafo designado en la presente Inspección, y expone: "Consigo en este acto, constante de (+) folios, las fotos a que se refiere el acta de fecha 5 de febrero de 2001. Es todo."

Terminó, se leyó y conforme firman,

LA SECRETARIA

EL DILIGENCIANTE
REPÚBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN

ARACELIS DEL VALLE URDANETA N.

MOTIVO: INSPECCIÓN JUDICIAL.

Tribunal Segundo del Municipio Guaiçapu, Estado Miranda

FECHA ENTRADA: Día 07/  Mes FEBRERO  Año  2003

FECHA DE SALIDA: Día  

FECHA DEVOLUCIÓN: Día  

FECHA TERMINADO: Día 08  Mes FEBRERO  Año  2003
Yo, CRISTÓBAL GARCÍA MORENO, venezolano, mayor de edad, casado, médico anestesiólogo, domiciliado en Maracay, Estado Aragua y titular de la Cédula de Identidad Nº V-6.513.498, por el presente documento, declaro: 

PRIMERO: Cojuntamente con mi cónyuge, MILRED JOSEFINA RODRÍGUEZ DE GARCÍA, venezolana, mayor de edad, domiciliada en Maracay, Estado Aragua y titular de la Cédula de Identidad Nº V-4.272.263, somos propietarios de un vehículo con las siguientes características: Clase Camioneta, Tipo Sport-Wagon, Marca Ford, Modelo Explorer Elite, Año 1999, Colores Plata y Gris, Uso Particular, Serial de Motor X A21335, Placa DAZ-99B, en lo sucesivo denominado "VEHÍCULO".

SEGUNDO: El día 19 de enero del año 2001, siendo aproximadamente las diez de la mañana (10:00 a.m.), me trasladé hacia la ciudad de Caracas, a nivel de la bajada de Tárcoles, y encontrándome en la vía en condiciones normales (no nevado), a una velocidad promedio de sesenta y uno kilómetros por hora (65 Kmh/h), súbitamente y sin explicación alguna, el VEHÍCULO perdió el control y comenzó a colarse alternativamente a la derecha e izquierda desde su parte trasera, siendo imposible para mí controlarlo mediante la dirección, considerando que no quise aplicar los frenos; a consecuencia de esto, terminé dado vuelta en trompo, chocando lateralmente contra la montaña que se encontraba a la derecha y finalmente el vehículo se volteó sobre el techo por dos veces consecutivas, quedando con las ruedas hacia arriba.

Como consecuencia de este accidente, sufri una herida en la cabeza que ameritó 20 puntos de sutura sin lesiones internas. Mis dos acompañantes, el Ing. Maximiliano Bueno y el Sr. Aníbal Bravo, resultaron leves. Es de hacer notar que los tres ocupantes del VEHÍCULO llevábamos puesto el cinturón de seguridad y gracias a la baja velocidad a que conducía, tuvieron tiempo de agacharse al ver lo que se avecinaba.

Cabe destacar, que el VEHÍCULO fue atendido en SENDERAUTO (concesionario FORD) en varias oportunidades donde le fueron realizadas una serie de modificaciones, las cuales incluían amortiguadores y otros cambios en la parte trasera para estabilidad del VEHÍCULO; además, el VEHÍCULO permaneció por más de un mes en reparación porque el módulo gen tenía problemas ya que se activaron los limpiaparabrisas espontáneamente y no había forma de apagarlos, no bajaban los vidrios y la luz indicadora de 4X4 titilaba indicando un problema. Al revisar el VEHÍCULO del taller, cuando supuestamente estos problemas estaban reparados, me percé de...
otra anomalía en el funcionamiento del tablero del VEHÍCULO, al regresar al taller me dijeron que tomaría cita para otro día. En virtud de tales inconvenientes, dejé el VEHÍCULO y la respuesta que me dieron fue que la computadora del taller indicaba que todo estaba bien, aunque persistía la anomalía. Previamente, seguido a la compra del vehículo, yo le había cambiado los cauchos por otros marca DUNLOP.

En Maracay, Estado Aragua, en la fecha de su autenticación.

Cristóbal García Moreno
REPÚBLICA BOLIVARIANA DE VENEZUELA.

NOTARIO PÚBLICO QUINTO DE MARACAY

MARCAY, 19 de febrero del año Dos Mil Uno

(2001). 190 y 112. El anterior documento redactado por el
Abogado: MIGUEL CORTEZ

debidamente inscrito en el
inpreabogado bajo el Número: 35,739 fue presentado para su
Autenticación y devolución según planilla número: 163296 de fecha 22-02-2001

Presente su Otorgante: CRISTOBAL GARCIA MORENO,

Mayor de edad

Domiciliado en: MARACAY ESTATO ARAGUA

de Nacionalidad: 

VENEZUELA

de estado Civil: CASADO

y portador de la cédula de identidad número: V- 6,213,498. Leido y
confrontado el original con su fotocopia y firmada ésta y el presente original
expuso: "SU CONTENIDO ES CIERTO Y MIA LA FIRMA QUE APARECE AL PIE DEL
INSTRUMETO", El Notario en tal virtud lo declara legalmente Autenticado en
presencia de los Testigos: IRIS ESTRADA y

MARLENE MUÑOZ

identificados con cédulas de identidad Números:

V- 5,454,807 y V- 9,918,575 Respectivamente, dejándolo inserto bajo
el Número 55 Tomo No. 55 de los Libros de Autenticaciones llevados
por esa Notaría. Igualmente certifico que a petición de parte interesada la-
Notaría se traslada y constituyó hoy a las 10:50 AM. CENTRO ESTRADA

MARACAY, autorizada a IRIS ESTRADA, titular de la-

cédula de identidad No. V- 5,454,807, para que presente dicho Otorgante
según lo establecido en el Artículo 89 del Reglamento de Notarias Públicas.

EL NOTARIO PÚBLICO

Firma

LOS TESTIGOS

1- QUIT.

2-4-01.
Ciudadano
JUZGADO SEGUNDO DEL MUNICIPIO GUACIPEHO DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO MIRANDA.

Su Despacho.-
Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumeno poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo. De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se tralde y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes: PRIMERO: De la presentación en el lugar donde se encuentra consignado el Tribunal, de un vehículo Marca Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines, TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se
tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. **SEXTO.** Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. **SEPTIMO.** Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. Del cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debido momento.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproducciones fiel y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Ado, por último, que una vez evocadas la presente solicitud, sea devuelta en original junto con sus resultados. Es gracia que espero en la fecha de su presentación.
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, habl en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad No. 81,607,491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veinte (20) de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Clausula Duodécima en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nom bre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7,067,502 y 7,082,174, respectivamente, inscritas por ante el Instituto de Previsión Social del Abogado bajo los números 30,705 y 30,706 respectivamente, y ambos de éste domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitrales o de derecho, promover y evacuar pruebas; pedir y hacer ejecutar medidas preventivas y ejecutivas; ejercer los recursos ordinarios o extraordinarios que conceden las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien...
tuviésemos para los Tribunales, funcionarios y Organismos competentes de la República.

Los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado, ha entendido que las facultades aquí enunciadas son a título meramente administrativo, sin carácter de no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valencia, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA, DEP. MUNICIPIO VALENCIA.

Firmado: [Firma]

El anterior documento, redactado por el Abogado: FRANCISCO GINART DE ALBÉRTI.

Inscrito en el INPREABOGADO bajo el No 6753.

Fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla N° 56792.

Fecha: 24-10-2000. Presentó(s) su(s) otorgante(s) dijo(eron)

Nombre: JORGE ANTONIO GONZÁLEZ ALVAREZ (Actuando en su carácter de Presidente de "Bridgestone Firestone Venezolana, C.A.").

Mayor (es) de edad, domiciliado(s) en: VALENCIA.

De Nacionalidad (es): ESTADOUNIDENSE.

De estado civil: [Firma]

Titular (es) de la(s) Cédula (es) de Identidad Número (s): E-81.607.491.

Leído y confrontado el original con las Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso(eron) "SU CONTENIDO ES CERTEZ Y MA (NUESTRAS) LA (S) FIRMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO. LA NOTARIO en tal virtud, lo declara AUTENTICADO -en presencia de los testigos escritores: MILAGROS RUEDA Y MIGUEL BOADA.

Títulos de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolo inserto bajo el No 41, TOMO 79, de los libros de AUTENTICACIONES llevados por esta Notaría LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVÓ PARA SU
VISTA Y DEPOSICIÓN REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INS-cribida por ante el registro mercantil que llevó el juzgado de primera ins-tancia en lo civil y mercantil de esta circunscripción judicial, en fecha
11-12-96, bajo el N° 1, compiladas sus reformas en un solo cuerpo según
consta de acta de asamblea general extraordinaria de accionistas, inscrita
en el registro mercantil primero de esta circunscripción judicial, en fe-
cha 19-01-97, bajo el N° 1, tomo 6-A, autorizado para este acto según se
evidencia en la cláusula quinta de ello mismo en su parte "a" del documento constitui-
tivo estatutario. E igualmente deja constar que este acto autorizo
a la ciudadana María Victoria Rodríguez con cédula de identidad N°7-281,
108, escritura 1 de esta notaría para presenciar dicho otorgamiento con-
forme el artículo 19 del reglamento de notarías públicas en las oficinas
de Bridgestone en carretera vieja via los guayos en Valencia, a las 10:00 Hs.

LOS TESTÍGOS:

EL FUNCIONARIO AUTORIZADO.
REPÚBLICA BOLIVARIANA DE VENEZUELA, JUZGADO SEGUNDO DEL MUNICIPIO GUACIPURU DE LA Circunscripción Judicial del Estado MIRANDA; -- SAN DIEGO DE LOS ALTOS, SIETE DE FEBRERO DEL AÑO 2003 MIL UNO.

1909 y 1410

Vista la solicitud que antecede se acuerda se actúa de conformidad por
la misma se contraría a derecho. En consecuencia, se habilita el tiempo
que sea necesario por haber sido juzgada la urgencia del caso. Se
fija el día 09/02/2003, a las nueve (9:00) de la mañana para la
práctica de la Inspección Judicial Solicitada. Se designa como ---
práctico y fotógrafo, a los ciudadanos: DAVID GONZALVES, venezo-
leño, titular de la Cédula de Identidad N°. 11.089.374, mayor de edad,
mechanico y JORGE CULMENARES, venezolano, mayor de edad, titular de
la Cédula de Identidad N°. 386.596, fotógrafo, quienes estamos pre-
sentes compitaron las cargas para los cuales fueron designados y to-
dearon los juicios en forma de Ley. Cumplida como sea la ante-
rior solicitud cumulada con sus respectivos interesados.
LA JUEZ TEMPORAL,

ORA. JENNY TAINET APHEX CASTRO.

EL PRACTICO DESIGNADO.

EL FOTOGRAFO DESIGNADO.

LA SECRETARIA.

CARMEN CECILIA ABREU.
En el día de hoy, ocho de febrero de dos mil uno, siendo la oportunidad fijada para tener lugar la Inspección Judicial solicitada y acordada en el auto anterior, previa la habilitación del tiempo necesario por haber sido jurada la urgencia del caso, se trasladó y constituyó el Tribunal Segundo del Municipio Guárico de la Circunscripción Judicial del Estado Miranda, en el lugar indicado por la solicitante, el cual es el siguiente: Estacionamiento Paracotos, ubicado en la Vía que conduce al Club El Dorado, Paracotos, Carretera Vieja Palo Negro, Sector El Samán, jurisdicción de este Municipio, Estado Miranda, presentes en este Acto, la solicitante, Dra. ARACELIS DEL VALLE URRÁNEDA N., procediendo con el carácter de Apoderada de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA; el Práctico Mecánico designado, ciudadano DAVID CORTAL- VES y el Fotógrafo designado, ciudadano JORGE COLUMNARES. Acto continuo, una vez en el sitio, el Tribunal fue atendido por el ciudadano CARLOS HERNÁNDEZ, titular de la cédula de identidad N° 6.675.676, quien dijo ser el Encargado del Estacionamiento Paracotos y fue la persona que le permitió el acceso al Tribunal al interior del mismo. Seguidamente el Juzgado pasa a realizar la Inspección solicitada, previa consulta con el práctico designado de todos y cada uno de los particulares contenidos en la referida solicitud y dejó constancia de ello así: AL PRIMERO: Con el asesoramiento del práctico designado, el Tribunal deja constancia, que en sitio donde se encuentra constituido, hay un vehículo con las siguientes características: Marca: Ford, Modelo: Explorer XLT, 4x4, año 1999, Placas: DAZ 398, Color: Plata. AL SEGUNDO: El Tribunal deja constancia que el vehículo inspecciona tiene sus cuatro (04) cauchos instalados en cada uno de sus rines. AL TERCERO: Con el asesoramiento del práctico designado, se deja constancia de las características de los cauchos que tiene instalado dicho vehículo, las cuales son las siguientes: Cauchos
Marca Dunlop, Tipo GRANDESTREK, LT 265/75R16. ATL Made in Japan.
SERIALES DE CADA UNO: Delantero Derecho: DOT V2LT V7 Y 259; --
Trasero Derecho: DOT V2LT V7 Y 259; Derecho Izquierdo: DOT V2LT
V7 Y 249 y Trasero Izquierdo: DOT V2LT V7 Y 259. AL CUARTO: Con
el asesoramiento del práctico, se deja constancia que las condi-
tiones generales de los cauchos instalados a dicho vehículo se-
observan en buen estado, así como también su banda de rodamiento.
AL QUINTO: Se deja constancia que al momento de la práctica de la
presente Inspección, fueron tomadas fotografías instantáneas, a
los cuatro (04) cauchos y sus rines. AL SEXTO: Se deja constan-
tia que al momento de la práctica de esta Inspección, le fueron
tomadas varias fotografías del vehículo inspeccionado. AL SEPTI-
MO: Con el asesoramiento del práctico designado, el Tribunal de-
ja constancia que las condiciones generales en que se encuentra
la carrocería del vehículo inspeccionado, es totalmente deterio-
rada, presenta descubre generalizado, rotos todos sus vidrios,
undimiento del techo, así como de los parales, capot y compuerta.
Haciendo uso de la reserva, la solicitante pide al Tribunal que
deje constancia de lo siguiente: A) Del kilometraje que se observe
en el tablero donde se lee el mismo. El Tribunal, visto el pedi-
mento que antecede, lo acuerda de conformidad y deja constancia
de ello así: A LA LETRA A: El Tribunal deja constancia con el
asesoramiento del práctico designado, que en el Tablero del ve-
hículo inspeccionado, se observa el siguiente kilometraje: 28.413.
Se deja constancia que en este acto fueron tomadas Diez (10) fo-
tografías instantáneas, las cuales debidamente selladas, se agre-
gan a la misma para que formen parte de ella, con la Camara Mar-
ca Polaroid, N° 636 Close-up, reproducción instantánea. Conclu-
ds la sesión, el Tribunal acuerda el regreso a su aede, es todo.
Terminó, así 19:30 y conformes firman:-

LA JUEZ TEMPORAL,
DRA. JENNY APONTE CASTRO,

LA --
SOLICITANTE,

EL PRÁCTICO DESIGNADO,

EL FOTÓGRAFO DESIGNADO,

LA SECRETARIA,

CARMEN CECILIA ABREU,

En el día de hoy, ocho de febrero de dos mil uno, se devuelve la presente Inspección, original con sus resultados, constante de doce (12) hojas útiles, a la solicitante.

CARMEN CECILIA ABREU,
SOLICITANTE(S): ARACELIS DEL VALLE URBANETA M., Apodo, de BRIDGESTONE

FIRESTONE VENEZOLANA C.A.

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: TERCERO DE LOS MUNICIPIOS VALENITA Edo., Carabobo

FECHA DE ENTRADA: Día 12 Mes Febrero Año 2001

FECHA DEVOLUCIÓN: Día 13 Mes Febrero Año 2001
Ciudadano

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1996, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocuro y expango. De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y esté en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes: PRIMERO. De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO. Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO. De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO. De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO. Se
...
Yo, JORGE ANTONIO GONZÁLEZ ÁLVAREZ, estudiante de derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Torne 8-A, autorizada para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Decreto Constitutivo Estatutario, por el presente documento declaro: Que confiero en nom bre de mi representada, Poder especial pero amplio y bastante cuan to en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDAÑETA NAVAS, venezolanos, mayores de edad, solteros, habiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados, oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien
tuviera para los Tribunales, funcionarios y Organismos competentes de la República,
los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o
privado. Es entendido que las facultades aquí anunciadas son a título meramente
voluntario y no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo
efecto. Valencia, en la fecha de su autenticación.

Por B.F.V.Z.

Jorge A. González A.
RECURSO BOLIVARIANO DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA DEL MUNICIPIO DE VALENCIA, DE LA JUNTA DE CASTILLA.

Inscrito en el INPREABOGADO bajo el No. 21555. Fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla N° 36979. de fecha 26-10-2000. Presentó(s) su(s) otorgante(s) dijo(era)

Número:

JORGE ANTONIO GONZALEZ ALPAREZ (Actuando en carácteres de Presidente de "BRIDGESTONE FIRESTONE VENEZUELANA, C.A.").

MAYOR (es) de edad, domiciliado (s) en: VALENCIA.

De Nacionalidad (es): ESTADOUNIDENSE.

De estado civil: Casado.

Título(s) de la (s) Cédula (s) de Identidad Número (s): F-120,491.

Leído y confrontado el original con sus Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso (eron) "SU CONTENIDO ES CIERTO Y MÍA (NUESTRAS) LA (S) FIRMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escribientes: MILAGROS RUEDA Y MIGUEL BOADA. Titulares de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolo inscrito bajo el N° 31. TOMO 78. de los libros de AUTENTICACIONES

Llevados por esta Notaria LA NOTARIO QUE SUSCETE HACE CONSTAR QUE TUVIO PARA SU
VISTA Y DEPOSICION REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITA ANTE EL REGISTRO MERCANTIL QUE LLEVA EL JUZGADO DE PRIMERA IN- 
TEGRA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FECHA 
28-07-94, BAJO EL N° 1, CONSTRUJAS LAS REFORMAS EN UN SOLO CUERPO SEGUN 
CONTRA DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA 
EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FE- 
CHA 26-01-97, BAJO EL N° 2, TOMO 5-A, AUTORIZADO PARA ESTE ACTO SEGUN SE 
EVIDENIA EN LA CLAUSULA DUODECIMA EN SU PARTE "C" DEL DOCUMENTO CONSITU- 
TIVO ESTATUTARIO. E IGUALMENTE DEJA CONSTAR QUE PARA ESTE ACTO AUTORIZO 
A LA CIUDADANA MARIA VICTORIA RODRIGUEZ CON CEDULA DE IDENTIDAD V-7,094, 
108, ESCRIBIENTE I DE ESTA NOTARIA PARA PRESENTAR DICHO OTORGAMIENTO CON- 
FORME EL ARTICULO 29 DEL REGLAMENTO DE NOTARIAS PÚBLICAS EN LAS OFICINAS 
DE ESTE REGISTRO EN CARRETERA VIEJA VIA LOS QUAYOS EN VALENCIA, A LAS 1.00 PM.

EL PODERDANTE.

LOS TESTES.

EL FUNCIONARIO AUTORIZADO.
GADO TERCER DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, -
NAHUAJUNA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO -
CARABOBO.

Valencia, 12 de Febrero del 2.001
1908 y 1410

Por recibida la anterior solicitud. Desele entrada y cúmplase. En
consecuencia, traslácense y constitúyase el Tribunal al sitio que éga
dice el escrito de solicitud que antecede, a fin de practicar la --
INSPECCIÓN JUDICIAL solicitada. Se omite el requisito de distribución
por haber sido jurada la urgencia del caso. Se habilita todo el --
tiempo necesario. Devuélvalo con el original con sus resultas. Junto con
el poder original presentado.

La Secretaría,

En la misma fecha se le dio entrada bajo el N° 3007.

La Secretaría
...
Verifica con cautela las siguientes actividades:

1. Verifica si el producto se encuentra en el lugar indicado.
2. Verifica si el producto se encuentra en el lugar indicado.
3. Verifica si el producto se encuentra en el lugar indicado.
4. Verifica si el producto se encuentra en el lugar indicado.

Por lo tanto, se concluye que el producto se encuentra en el lugar indicado.
GADO TERCERO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, MACHAMPA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBO.

Valencia, 13 de Febrero del 2001
1906 y 1618

Cumplido como ha sido la presente solicitud, se acuerda devolver la misma a la parte interesada.

La Secretaría.

En la misma fecha se devuelve constante de (11) folios útiles.

La Secretaría.

CIF.
S. 3807.

VÁLLESE GARCIA DE MISENO, Secretario del Juzgado Tercero de los Municipios Valencia, Libertador, Los Guayos, Machampa y San Diego de la Circunscripción Judicial del Estado Carabobo. Hace constar que la foliatura begada del folio cuatro (4) al folio once (11) no vale.

La Secretaría.
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S)  PATRICIA CLEMOTTO CARVAJAL, viuda de CARVAJAL.

MOTIVO:  INICIACION PROCEDIMIENTO.

JUZGADO:  4º JUZGADO CIVIL DEL EJIDO HILANDO, CHIRIQUI.


C-42
Ciudadano

Juzgado de Municipio del Municipio Zamora de la Circunscripción Judicial del Estado Miranda.

Su Despacho.

Yo, PATRICIA COROMOTO CARVAJAL, viuda de CARVALLO, mayor de edad, domiciliada en Guatire, Estado Miranda, Venezolana, titular de la Cédula de Identidad número V - 3.666.797, debidamente asistida en este acto por el ciudadano ELEAZAR GUEVARA SIFONTES, abogado en ejercicio, de Transito por esta ciudad de Guatire, Estado Miranda, inscrito en el Impreeabogado bajo el Nº 8.562, ante su competente autoridad ocurrió y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilidad del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en el estacionamiento La Gran Parada, El Rodeo, Sector El Rodeo, Carretera Nacional Guatire - Araza del Estado Miranda, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:


SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada
uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentran el vehículo inspeccionado.

SÉPTIMO: Se deje constancia por medio del experto mecánico, de las condiciones en que se encuentran en dicho vehículo, las extensiones o barras de acople que se adhieren a las mesetas delanteras, tanto la ubicada en el lado derecho así como en el lado izquierdo del vehículo en cuestión.

OCTAVA: Se deje constancia de las condiciones generales en que se encuentran la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el Artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un practico fotógrafo y un practico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados.

En Guatire, a la fecha de su presentación.
JUZGADO DEL MUNICIPIO SAGRA DE LA CIRCUNScriPCION JUDICIAL
DEL ESTADO MIRANDA.—GUATIRE; VEinte DE FEBRERO; DE DOS MIL
UNO.—

1902 y 1419

Visto el anterior escrito que antecede, se ad-
mite.—En consecuencia, habilitado como se encuentra todo el
tiempo que fuere necesario para estas actuaciones, por haberlo
así solicitado expresamente la parte interesada, quien juró —
la urgencia del caso, se acuerda el traslado y contención del
Tribunal, en el sitio que indique el escrito por local se pro-
cede, a los fines de llevar a cabo la práctica de la INSPECCION
JUDICIAL solicitada, para lo cual se fija la ( 1:00 p.m.), del
día de hoy veinte de los corrientes.—

La Jueza Provisoria.

Abg. YAMILA V. LOPEZ MARIN

La Secretaria.—

Abg. JOANNY CARREÑO.
En el día de hoy, Martes veinte (20) de Febrero de dos mil diez (2010), a la una y media de la tarde (1:30 p.m.), conforme a lo acordado por auto dictado en esta misma fecha, se trasladó y consiguió este Tribunal, por indicación de la parte solicitante, señora PATRICIA COROMONCO CARVAJAL viuda DE CARVALHO, debidamente acompañada de su abogado asistente, el profesional del derecho, ELEAZAR GUSTAVO SITONTEZ, inscrito en el impreso de abogados bajo el Nro. 8.562, en la siguiente dirección: Estacionamiento La Gran Parada, El Rodeo, sector el rodeo, carretera Nacional Güiria - Aragua, en jurisdicción del Municipio Sano Borradillo del Estado Miranda, donde funcionó el estacionamiento motivo de la presente Inspección. Una vez constituido el Tribunal en el sitio antes mencionado, presentó el ciudadano MANUEL CASTAÑO, quien se identificó con la cédula de identidad Nro. 12.298.179, a quien el Tribunal le notificó de su misión, y procedió a permitir la entrada al estacionamiento en cuestión.

Seguidamente el Tribunal a los fines de dar cumplimiento a lo solicitado, pasó a dejar constancia de los siguientes particulares: PRIMERO: Se deja constancia de la presencia en el estacionamiento La Gran Parada, que se encuentra estacionado un vehículo con las siguientes características: marca: Ford; modelo: Escape, color: Verde; año: 07, clase: camioneta, placa: JDA-6572, serial: carrosserie:1UWUE153066, serial: motor: V6 - CIL. SEGUNDO: Se deja constancia de que en el vehículo se encuentran dos cauchos traseros instalados; el izquierdo delantero se encuentra totalmente desgarrado y el derecho delantero no se encuentra instalado. TERCERO: Se deja constancia de que los dos cauchos traseros son marca Good-year LT 235/75 T15, el derecho delantero de igual marca y el izquierdo delantero solo se pudo ver la marca (Good-Year), los demás datos no se distinguieron. CUARTO: Se deja constancia de que la banda de rodamiento se encuentra con la mayor acero despresurizada. En este estado el Tribunal a los fines de dar cumplimiento a lo en el particular, designa al ciudadano ALFREDO ALFONSO CARVAJAL ZABATOS, titular de la
Cédula de identidad Bro. V-4766-030, como fotógrafo en la presente inspección, com el objeto de tomar las fotografías de cada uno de los cauces y los rines del vehículo objeto de esta inspección, y quien expone: acepto el cargo para el cual fui designado y juro cumplirlo bien y fielmente con todos los deberes inherentes al mismo. Asimismo el fotógrafo designado procedió a tomar las fotografías de los cauces, rines, carrocerías y el total del vehículo en cuestión. En este estado el Tribunal le concede al ciudadano ALBERTO ALFONSO CARVAJAL, fotógrafo, para que el plazo dentro de las cuarenta y ocho (48) horas siguidas a este acto para que las consigne en el Tribunal, junto con sus respectivos negativos. Igualmente se deja constancia que el particular SEXCO, fue cumplido por el fotógrafo. En este estado el Tribunal con el fin de dar cumplimiento a lo solicitado en el particular SEPTIMO, procede a designar al ciudadano JOSÉ FRANCISCO RIVERA IGUARZ, quien se identifica con la cédula de identidad Bro. 1988-780, como experto en mecánica, para asesorar al Tribunal en las condiciones en que se encuentra el vehículo, las extensiones o barras de acople que se adhieren a las mesetas de las ruedas, tanto la ubicada en el lado derecho como al lado izquierdo del vehículo, y expuso: que acepto el cargo para el cual he sido designado y juro cumplirlo bien y fielmente con todos los deberes inherentes al mismo. Seguidamente el Tribunal deja constancia de lo siguiente: le faltan las ruedas de frenos, discos de freno, (puerta de eje, barra de suspensión, ganchos de estabilizador, barra estabilizadora, mesetas, arandelas, barra de torsión o suspensiones), estas se encuentran totalmente dañadas. Asimismo se deja constancia de que la parte lateral, la parte lateral derecha e izquierda, parte del techo, parte frontal, parte trasera se encuentran completamente inservibles (indiferenciable). En todo. En este estado y cumplida como ha sido la misión del Tribunal, se ordena el regreso a su sede. Termino, se leyó y conforme firmado.
LA DEMANDEANTE Y SU ABOGADO

ASISTENTE

EL FOTOGRAFO

EL NOTIFICADO

EL EXPERTO MECANICO

LA ASISTENCIA
En horas de Despacho del día de hoy, miércoles veintuno de febrero de dos mil uno, comparece por ante este Tribunal el ciudadano ALBERTO ALFÉREZ CARVAJAL UZCATEGUI e identificado con el número de su cédula de identidad NOV-4,766,010, en su carácter de fotógrafo designado en la Inspección Judicial realizada el día 20-02-2001, el cual procede a consignar fotografías constantes de veintidos (22) folios útiles con sus respectivos negativos. Ha sido - Terminó, se leyó y conforme firman.

La Jueza Procuradora,

Abg. YAMILET I. LOPEZ MARIN

El compareciente,

[signature]

De Secretaría

Abg. JOSEANN CRUZADO

JUZGADO DEL MUNICIPIO ZAUDRA DE LA CIRCUNSCRIPCION JUDICIAL
DEL ESTADO MIRANDA.— GUATIRE; VEINTE Y SEIS DE FEBRERO DE DOS MIL
UNO.—

1906 y 1410

Cumplida como ha sido la Inspección Judicial acaparatada, se acuerda.—En consecuencia, devolver original con sus resultas a la parte interesada, constante de treinta (30), folios íntegros.
La Jueces del Mes.

Abg. XAVIER MELLON MARÍN

A la Secretaria
Abg. JOHNNY CAMERON

Seguidamente se dió cumplimiento a lo acordado a su auto anterior.—

A la Secretaria
Abg. JOHNNY CAMERON
CONSEJO DE LA JUDICATURA
OFICINA DE LOS ARCHIVOS JUDICIALES

NOTA:

Esta contraste debe ser utilizada para cubrir los últimos folios que conforman un expediente.

Su finalidad es proteger los Documentos, evitando el deterioro.

Modelo C-30
1353

REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE (S) ........................................

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MOTIVO: ........................................

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JUZGADO: ........................................

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FECHA ENTRADA: Día ________ Mes ________ Año ________

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FECHA DEVOLUCION: Día ________ Mes ________ Año ________

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C-22
Ciudadano

Juez del Municipio Torres de la Circunscripción Judicial del Estado Lara.

Su despacho.-

Yo, MARIELITA IDROGO OVIEDO, venezolana, mayor de edad, Abogado en ejercicio, titular de la cédula de identidad N° 9.608.220, inscrita en el Instituto de previsión Social del Abogado bajo el N° 45.435, y de este domicilio, ante usted respetuosamente ocurro para exponer y solicitar cuanto sigue:

Para fines legales que me interesan, solicito respetuosamente que traslade y constituya el Tribunal a su digno cargo, en la siguiente dirección Carretera Lara-Zulia, Salida de Carora Estacionamiento Sánchez, C.A.: de conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, asimismo juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal; a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca FORD, Modelo: EXPLORER, placas ABD-81C y el tipo, año, color que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (04) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de rines del vehículo inspeccionado.

QUINTO: Se tomen fotografías en general del vehículo inspeccionado, y asimismo se deje constancia de las condiciones en que se encuentra el mismo.

SEXTO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado.

SEPTIMO: De cualquier otro hecho o circunstancia me resermo el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de
Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reservo señalar en la oportunidad de la práctica de dicha inspección judicial y que a tal efecto, se designe un fotógrafo y un práctico mecánico.

Así mismo, solicito al tribunal que las referidas fotografías que fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, sean agregadas a esta inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelta original con sus resultados.

Es justicia, que solicito en la fecha de su presentación.
Juzgado del Municipio Torre de la Circunscripción Judicial
del Estado Lara
Carora, 03 de Marzo de 2001
Años: 1909 y 1419

Por recibido de los antedichos y hágase como se pliega. En consecuencia, se fija al Segundo día de despacho siguiente, a la presente fecha, a las diez de la mañana, para llevar a efecto la inspección solicitada y una vez efectuada devuélvanse originales con sus resultados.

El Juez Provisorio

Abog. Francisco Ríos Zúñiga Gómez
La Secretaría

Gladys Torres M.
en el día de posposición del acto, pero se hizo del acto p. r. p. y pl. b. de las piezas de la escena, así como otros, que llevaría el juez.
La escena judicial se desarrolló en la audiencia de la sala en el juzgado, con el tribunal en el lugar.
El mismo formuló que el acusado estuvo presente en el juzgado y se le hizo un escrito al juez.
El mismo formuló que el acusado estuvo presente en el juzgado y se le hizo un escrito al juez.
El mismo formuló que el acusado estuvo presente en el juzgado y se le hizo un escrito al juez.

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Lugar donde se encuentra el juzgado.
En el día de hoy se ha cumplido con el deber de hacer las devoluciones y entregas correspondientes en los aforos de las empresas: ALIRIA RODRÍGUEZ, LUISA GÓMEZ, y Juan. En función de este acto se ha firmado el acta en la presencia de los testigos: Dolores Gil y José Pascual. Los documentos se encuentran en el Archivo Municipal.

Seminario de la Comisión Interinstitucional del ACN

Jueves 17 de Marzo de 2001

Almirante Torre Pinto

La Secretaría

El Secretario
Ciudadano
Juez del Municipio Torres de la Circunscripción Judicial del Estado Lara.

Su despacho.-

Yo, MARIELITA IDROGO OVIEDO, venezolana, mayor de edad, Abogado en
ejercicio, titular de la cédula de identidad N° 9.608.220, inscrita en el Instituto de
previsión Social del Abogado bajo el N° 45.435, y de este domicilio, ante usted
respetuosamente ocupo para exponer y solicitar cuanto sigue:

Para fines legales que me interesan, solicito respetuosamente que traslade y
constituya el Tribunal a su digno cargo, en la siguiente dirección Carretera Lara-
Zulia, Salida de Carora Estacionamiento Sánchez, C.A.; de conformidad con los
artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil,
asimismo juro la urgencia del caso, solicito la habilitación del tiempo necesario de
este honorable Tribunal; a fin de dejar constancia por vía de inspección Judicial, de
los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el
Tribunal, de un vehículo Marca FORD, Modelo: EXPLORER, placas BAC-08T y el
tipo, año, color que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (04) cauchos
instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados
en cada uno de los rines del vehículo inspeccionado.

CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en
cada uno de rines del vehículo inspeccionado.

QUINTO: Se tomen fotografías en general del vehículo inspeccionado, y
asimismo se deje constancia de las condiciones en que se encuentra el mismo.

SEXTO: Se deje constancia de las condiciones generales en que se
encuentra la carrocería del vehículo inspeccionado.

SEPTIMO: De cualquier otro hecho o circunstancia me reservo el derecho de
señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de
Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que a tal efecto, se designe un práctico fotógrafo y un práctico mecánico.

Así mismo, solicito al tribunal que las referidas fotografías que fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, sean agregadas a esta inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelta original con sus resultados.

Es justicia, que solicito en la fecha de su presentación.
Juzgado del Municipio Torres de la Circunscripción Judicial
del Estado Lore
Carrera, 08 de Marzo de 2001
Años: 1909 y 1413

Por recibida dásela entrada y hágase como se pide. En conse-
cuencia, se fija el Segundo día de despacho siguiente, a las diez
y treinta minutos de la mañana, para llevar a efecto la inspec-
ción judicial solicitada y una vez efectuada devuélvanse origina-
les con sus resultados.

El Juez Provisional

Abog. Francisco Román Zimbreno Gómez

La Secretaria

Gladys Torres M.
1370

Cuatro (4)

...
En el día de Octavio de hoy, fecha de Marzo del año dos mil uno, comparece ante este Juzgado el ciudadano señor José Gómez-Silva y entrega "Testamento en este acto en seis (6) folios de los que fueron notificados a la Contraloría de Hacienda del Estado BC, ya que sean entregados a los testigos de todo. Testigos en lo firmado y conformes firmaron:

El Testigo
[Signature]

La Secretaria
[Signature]

JUEZADO DEL MUNICIPIO LOCAL DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL
MÉTODO LARA

Cuerpo 13 de Sebastián de 2,000

"ños: 1492" y 1493"

Visto la contención efectuada, se ordena agregar a los autos del caso: Procurador

El Juez Procurador
[Signature]

Abogado Francisco Ramírez Zavala Gómez

La Secretaria
[Signature]

En la misma fecha se cumple lo ordenado.

La Secretaria
[Signature]
NOTA:
Esta contraportada debe ser utilizada para cubrir los últimos folios que conforman un expediente.
Su finalidad es proteger los documentos, evitando el deterioro.
REPUBLICA BOLIVARIANA DE VENEZUELA
Poder Judicial
Jurisdicción Civil
Solicitudes
Archivo

Solicitante(s): Marielita Isidro Oviedo

Motivo: Inspección Judicial

Juzgado: Del Municipio Brugal de la Circunscripción Judicial del Re

Fecha de Entrada: Día 09 Mes Marzo Año 2001

Fecha Devolución: Día Mes Año
Ciudadano

Juez del Municipio Bruzual de la Circunscripción Judicial del Estado Yaracuy.

Su despacho -

Yo, MARIELITA IDROGO OVIEDO, venezolana, mayor de edad, Abogado en ejercicio, titular de la cédula de identidad N° 9.606.220, inscrita en el instituto de previsión Social del Abogado bajo el N° 45.435, y de este domicilio, ante usted respetuosamente ocupo para exponer y solicitar cuanto sigue:

Para fines legales que me interesan, solicito respetuosamente que traslade y constituya el Tribunal a su digno cargo, en la dirección que oportunamente señalaré, de conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, asimismo juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución; a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca FORD, Modelo: EXPLORER, año 2000, placas KAP-72F y el color y tipo que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (04) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de rines del vehículo inspeccionado.

QUINTO: Se tomen fotografías de la carrocería, y asimismo se deje constancia de las condiciones en que se encuentra el vehículo inspeccionado.

SEXTO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado.

SEPTIMO: De cualquier otro hecho o circunstancia me reservo el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedi-
imiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que a tal efecto, se designe un práctico fotógrafo y un práctico mecánico.

Así mismo, solicito al tribunal que las referidas fotografías que fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, sean agregadas a esta inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelta original con sus resultas.

Es justicia, que solicito en la fecha de su presentación.
JUEGADO DEL MUNICIPIO BRUZUAL DE LA CIRCUNSCRIPCION JUDICIAL DEL
ESTADO YARACUY.

Chivacos: 09 de Marzo del 2001
Años: 1509 y 1429

Vista la Solicitud presentada por la ciudadana MARIELITA
IDROGO OVIEDO, abogada en ejercicio, inscrita en el IPBA bajo
el N° 42.433, se acuerda de conformidad. En consecuencia se
fijan las diez de la mañana del día de hoy para trasladarse y
constituirse el Tribunal en el sitio indicado en dicha Solicitud
y llevar a la práctica la inspección judicial solicitada.

El Juez Año:
Abg. Toribio Bolléster Rivas

La Secretaría,
YSARAYCIMENEZ
El debido de hora, vienen a hablar del año nuevo y como estaban acordados, se tratan y constituyen el Tribunal de liquidación. Firma uno en la Autoridad de tránsito Guatemalteco en el efecto de comprender. San Felipe, uno conocido de la Subsección de Aduanas de la Administración de Hacienda, se fue a hacer la práctica de la Inspección Fiscal, y a continua, a sus efectos se acuerda: Pronto efectuarán el cuestionario: Hecho y dichos respecto a la situación: Giovanni Marín, Médico, y se ha jurado.Firma el cuestionario: Roberto Gálvez Rodríguez, Fiscal General, mayoral de cuidado, titular de la Dirección de Identidad N° 5151230 y 4730104, respectivamente, quienes estaban presentes en el lugar y practican personalmente en el Tribunal pasó a dejar constancia de los particulares anteriores: El particular: Rincón, el Tribunal deja constancia que efectivamente en el acto donde se practica la Inspección, se encuentra sin obstrucciones. Folio: 50, Páginas: 6. 1 de 2 folios. El particular: Segundo, el Tribunal deja constancia que el particular emparentado queda por cuenta (1)
Durante el juicio, el Tribunal dejó constancia, que en las inmediaciones del Panteón Héroico, se encuentran dos zonas con temblor, y que el mismo fue causado por la explosión de una bomba, en el Panteón Héroico.

En la zona número uno, se encontró una bomba de gran tamaño, que explotó con fuerza, causando la muerte de varios civiles. En la zona número dos, se encontraron restos de una bomba más pequeña, que explotó con menos intensidad, pero causó daños significativos en las estructuras cercanas.

El Tribunal dejó constancia de que el Panteón Héroico fue construido con materiales de alta calidad, lo que permitió que la explosión no causara daños mayores en las estructuras.

En resumen, el Tribunal dejó constancia de que el Panteón Héroico fue un lugar seguro, que sufrió daños debido a la explosión de bombas, pero que no se encontraron evidencias de que el Panteón Héroico fue el objetivo del ataque.
Barnes, así mismo presenta brevemente en cada sección, especialmente en la parte del texto, así mismo que por las características de los sujetos, el mismo que por un conocimiento propio basado en el mismo y el conocimiento de la Comunidad, hace algunos aclaraciones y reseñas previas al caso y a la sentencia. Al final de la sección, el Tribunal cita con carácter previo a la sentencia, para el conocimiento del lector y para el entendimiento de la misma, la frase presente despejamiento de sus rutas originarias, de bien establecida, y presentándose al mismo se encuentran habilitada, en particular, Espana. De particular interés, tanto el Tribunal que lo ha tenido para presentar las copias fotográficas que fueron tomadas en su presentación, así como de sus escenas. El Tribunal, conociendo las antecedentes, la apreciación de los profesionales, y firga en ambos de estos y del (2) mismo para que permita sus fotografias tomadas al delimitar la sentencia. El Tribunal, conociendo el sujeto que fue presentado, así como de su presencia, en la sentencia. Se hace la salvedad que fue tomada para la presente sentencia. El Tribunal, conociendo el sujeto que fue presentado, así como de su presencia, se hace la salvedad que fue tomada para la presente sentencia. El Tribunal, conociendo el sujeto que fue presentado, así como de su presencia, se hace la salvedad que fue tomada para la presente sentencia. El Tribunal, conociendo el sujeto que fue presentado, así como de su presencia, se hace la salvedad que fue tomada para la presente sentencia.
En horas de despus del día de hoy 13-03-01 de oficio del 2001 comparece por ante este
Tribunal el ciudadano: William Rodríguez
as: 4730, 194, presentando en la presente inspección y quien expone: concurri en
este acto el(los) título citados
sos de este) folios útiles conteniendo
la presente inspección. A todo, Demostrar, le
Leyó y comprobó, firmado.

El Presidente
SOLICITANTE (S): Bridgette Giselle Torres de Torres

MOTIVO: Exclusión Judicial

JUEZADO: Municipio Baruta, Parroquia La Boyera

FECHA DE ENTRADA: Día 22, Mes Noviembre, Año 2000

FECHA DEVOLUCION: Día __________, Mes __________, Año __________
Ciudadano
JUZGADO DE LOS MUNICIPIOS JOSE FELIX RIBAS Y JOSE RAFAEL REVENGA
DE LA CIUDAD DE ARAGUA
SU DESPACHO.

Su Despacho -

Yo, MARCELIS DEL VALLE URSÍNENA N., venezolana, mayor de edad, domiciliada
en Valencia, Estado Carabobo, titular de la Cédula de Identidad Nº V-7082 174, alojada
en ejercicio, inscrita en el INFORMACIÓN DE LA CIUDAD DE ARAGUA.
SU DESPACHO.

en el carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la
Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2010, el cual quedó anotado
bajo el Nº 41, Tomo 79 de los Libros de Autentificaciones llevados por esa Notaría Pública,
que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A.,
compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el
Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y
Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de
1956, bajo el Nº 1, compilada sus reformas en sus escrituras publicadas en un solo cuerpo, según consta de Acta de
Asamblea General Extraordinaria de Accionistas, inscrita por ante la Inspección de Primera Instancia de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, de forma que el n° 2, Tomo 8-A, ante usted repetidamente ocurrió y expone: De conformidad
con los artículos 192, 916 y 938 del Código de Procedimiento Civil y 1429 del Código
Civil, junto a la urgencia del caso, solicito la habilitación del tiempo necesario de este
honorable Tribunal y, en consecuencia, se obvió, el requisito de la distribución, con el fin
de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a
fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un
vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo
inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos
instalados en cada uno de sus rines TERCERO: De la marca, tipo y serial de cada uno de
de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De
las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo
inspeccionado y su banda de rodamiento. QUINTO: Se tomen fotografías de cada uno de
los cauchos instalados en cada uno de los rines del vehículo inspeccionado. **SEXTO.** Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. **SEPTIMO.** Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 epígrafe, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero de la fecha de su presentación.

[Signature]

[Date]
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, nacional de España, residente en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad No 81.607.491, actuando en mis carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A.
Firestone Venezuela), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia civil y mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte "C" del Decreto Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombré de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjuntamente o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y, en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, contestan demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien.
tuvieron en este los Tribunales, funcionarios y Organismos competentes de la República, los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado, ha entendido que las facultades aquí enunciadas son a título meramente hipotético y subordinado, sin carácter taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valecida, en la fecha de su autenticación.

Por BFVZ

Jorge A. González A.
1406

VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 01412 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739
JUZGADO DE LOS MUNICIPIOS JOSE FELIX RIBAS Y JOSE RAFAEL REVENGA
DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO ARAGUA, LA VICTORIA, 22
DE MARZO DEL DOS MIL UNO: AÑOS: 1907 Y 1410.-

Vista la solicitud presentada por la ciudadana Aracelis
Del Valle Ordaneta N., venezolana, mayor de edad, titular de la ca-
dula de identidad N° V. 7.023.174, Abogada en ejercicio, inscrita
en el Inpgreabogado bajo el N° 30.706, procediendo en este acto en
su carácter de abogada de BRIDGESTONE FIRESTONE VENEZOLANA C.A
se admite cuanto ha lugar en derecho previa la habilitación del
tiempo necesario, jurado como ha sido la urgencia del caso. En
consecuencia trasládese y constituyase el Tribunal donde indique
el solicitante y practíquese la INSPECCION JUDICIAL requerida.

El Juez

Dr. Clemente Rojas E.-

La Secretaría Asist.

Mayde Martínez.
Seguidamente en esta misma fecha, voluntad (22) de marzo del año dos mil uno, siendo las diez horas y treinta minutos de la mañana, se realizó y constituyó este tribunal en el Estacionamiento San Sebastián, ubicado en la carretera La Victoria-Caste de esta jurisdicción, ante señalado por la abogado Araceli del Valle Urdaneta, inscripto número 30.745, en su carácter de apoderada de la empresa BRIDGESTONE FIRESTONE VENEZUELANA C.A., según se evidencia del poder que acompaña a la presente solicitud; a los fines de practicar la inspección judicial requerida. A los fines de tomar el tribunal mejor conocimiento e ilustramiento en la práctica de esta inspección judicial, nombrar perito y practico fotógrafo a los ciudadanos: DAVID O.......

...realizar, mayores de edad, titulantes de las cédulas de identidad N°s. 11.015.374 y 306.336, respectivamente, quienes estando presentes aceptaron el cargo y prestaron el juramento de ley, jurando cumplir bien y fielmente con su obligación. De seguirse el prácito fotográfico procede a la toma de fotografías con una cámara que presenta el tribunal para su vista, marca Polaroid, 66, clase: Close Up, fotografías estas que se han entregado a la presente inspección previa su certificación y fueron parte de la misma. El tribunal para a realizar la inspección judicial solicitada previa asesoramiento del práctico de la manera siguiente: AL PRIMER PARTICULAR: El tribunal deje constancia que observa un vehículo marca Ford, modelo Explorer, tipo: XL 4X4, color: Dorado; año: 1991; placas: GAZ-7674, AL SEGUNDO PARTICULAR: El tribunal deje constancia que el vehículo antes identificado, posee cuatro (4) caucho instalados en cada uno de sus rines. AL TERCER PARTICULAR: El tribunal asesorado por el práctico designado deje constancia, que la caucho delantero derecho es de marca GOOD YEAR, tipo: URANGLER MT/S, medida LT235/75R15, serial DOT: 7411 24CA 100;

SEXTO PARTICULAR: EL TRIBUNAL ordena la toma de fotografías en cada uno de los cajones instalados en el cajón del vehículo, así como se pueden encontrar en perfecto estado. AL QUINTO PARTICULAR: EL TRIBUNAL ordena la toma de fotografías en cada uno de los cajones instalados en cada uno de los cajones del vehículo inspeccionado, con la cámara anteriormente identificada, las cuales se agregan a la presente inspección para que formen parte de la misma; AL SEPTIMO PARTICULAR: EL TRIBUNAL ordena la toma de fotografías en la carrocería y condiciones en que se encuentran el vehículo inspeccionado, con la cámara previamente identificada, cuyas reproducciones fotográficas se agregan a la presente inspección. AL SEPTIMO: EL TRIBUNAL resuelve por el parágrafo de esta constancia que la carrocería del vehículo presentada en el momento de la intervención, bien sea la fotografía de carátula, esté en buen estado, sin más desperfectos que lo que se observa en las mismas; también se confirma que el kilometraje del vehículo inspeccionado es de 30,195 Kms.
Igualmente deja constancia que el envío de repuesto es marca: GOODYEAR, tipo Wrangler TT/L, medidas: LT235/75 R15, serial DOT PDUL ZACA 3600, el cual se encuentra en perfecto estado (nuevo) y el Tribunal en este acto ordena que se tomen las fotografías. El Tribunal deja constancia que a los efectos de practicar la presente, Inspección se habilitó todo el tiempo necesario, jurada como ha sido la urgencia del caso. Concluido este acto el Tribunal ordena retornar a su sede ordinaria y devolver original con sus resultados a la solicitante. Es toto, terminó, se leyó y conforme firmé.

El Juez,

[Signatura]

La solicitante,

[Signatura]

El Perito,

[Signatura]

El fotógrafo,

[Signatura]

La Secretaría Acc.
La sustituta secretaria ocidental del Juzgado del
Municipio José Félix Urría y José María Loumos de la
Circunscripción Judicial del Estado Argentino. Certifico que
las fotografías que se anexan a la presente inspección fueron
tomadas al momento de practicarse dicha inspección, y junto
con ella forman parte de la misma. La Victoria, 22 de marzo
del año dos mil uno.

[Signature]

[Signature]

[Signature]
Ciudadano

Abogado Clady García Girón
JUEZ DEL MUNICIPIO BANCOPO MARIPO DEL ESTADO ARagua

Su Despacho-

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad Nº V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el Nº 30.706, proceñoendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaria Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el Nº 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el Nº 1, compilada sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el Nº 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo. De conformidad con los artículos 192, 936 y 938 del Código de procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de
los cauchos instalados en cada uno de los rines del vehículo inspeccionado. SEXTO. Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. SÉPTIMO. Se dé constancia de las condiciones generals en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ajuízado, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense mayor de edad, habilitado en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad Nº 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Clausula Duodécima en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y ostensen los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, contestar demandas, darne por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer puestas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, residiéndose o no su ejercicio y reasumirla en cualquier tiempo cuando a bien...
Por BFVZ

JORGE A. GONZÁLEZ A.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOMINA PUBLICA: SEXTA DE VALENCIA. DEL S/ 1421.

Lugar del acto: Cali. El presente documento, redactado por el Abogado FRANCISCO CERON DE PONCE.

Inscrito en el INPREBAGO bajo el No 65798. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla No 56798, de fecha 22 de febrero 2000. Presente(s) su(s) otorgante(s) dijo(eron)

Notario: JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en su calidad de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.")

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Maior (as) de edad, domicilio (s) en: VALENCIA.

De Nacionalidad (es): ESTADOUNIDENSE

De estado civil: Casado

Título (es) de la (s) Cédula (s) de Identidad Número (s) E-81.467.467

Leído y confesado el original con sus Fotocopiáis y firmado en estas y en el presente original en presencia de LA NOTARÍA, EL (los) OTORGANTE (S) expuso (creo) "SU CONTENIDO ES CIERE Y MÍA (NUESTRAS) LA (S) FIRMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO" LA NOTARIOS en tal virtud, lo declara AUTENTICADO en presencia de los testigos escritores: MILAGROS RUIZ Y MIGUEL BOADA.

Títulos de las Cédulas de Identidad Número: V-4.872.554 Y V-4.694.501, dejándose inscrito bajo el No 41. TOMO 79 de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARÍA QUE SUSCRIBE HACE CONSTAR QUE TUVIO PARA SU

FIRMADO EL ESPECTANTE I DE ESTA NOTARIA PARA PRESENTAR Dicho OTORGAMIENTO CONFORME AL ARTÍCULO 39 DEL REGULAMENTO DE NOTARIAS PÚBLICAS EN LAS OFICINAS DE ESCRUCION EN CARRERA VIEJA VÍA LOS GUAYOS EN VALENCIA, A LAS 2.00 PM.

EL PODERDANTE.

LOS TESTIGOS.

EL FUNCIONARIO AUTORIZADO.
En el día de hoy veintisiete (27) de marzo del año dos mil uno, - siendo las 8:15 horas de la mañana, previo habilitación del tiempo-
receptado, se realizó y constituyó el tribunal a tiempo de la -
llamado presidio del vellón verde, inscrito en el inprobante -
num. 20.470, en su cuarquier de apoderado judicial de Bridgestone Y
Tireman Venezuela C.A., a la siguiente dirección Avenida Los Aldo-
dores polo negro donde funciona el TALLER MARIMAR C.A., a los fines
de practicar inspección judicial, y que se contiene la presente soli-
situd.- El tribunal deja constancia que el encargado del taller don
José Estaban constituido se negó a identificarse, pero permitió el
sacar el alto de inspección.- En este sentido, el Tribunal designa
como experto fotográfo al ciudadano Jorge Antonio González, títu-
lar de la oficina de identidad no. 386.596 y como perito mecánico
el ciudadano David González, titular de la oficina de identidad num-
ero 11.089.574, quienes estando presentes aceptaron el cargo y ju-
daron cumplir bien y fielmente. En este sentido el tribunal para a-
- dejar constancia sobre los particulares contenidos en la presente
solicitud de la siguiente manera: Al PRIMERO: El tribunal deja cons-
tancia que realmente donde está constituido se encuentra un vehí-
culo marca Ford, modelo Explorer, tipo XIR 4x4, color vino tinto, pla-
de DAI-450.- Al SEGUNDO: El tribunal deja constancia que el vehí-
ículo antes identificado tiene colocado cuatro cauchos en sus respec-
tivas rines.- Al TERCERO: El tribunal deja constancia que el caucho
delantero derecho es de marca Good Year, tipo Wrangler R/T, medida
P235/70 R16, serial DOT FYAB 2134 1100, caucho delantero izquierdo-
marca Good Year, tipo Wrangler R/T, medida P235/70 R16, serial DOT
FYAB 2134 1100, caucho trasero derecho marca Good Year, tipo Wrangle-
er R/T, medida P235/70 R16, serial DOT FYAB 2134 1100, caucho tras-
sero izquierdo marca Good Year, tipo Wrangler, medida P235/70-
R16, serial DOT FYAB 2134 1100.- Al CUARTO: El tribunal deja cons-
tancia que los cauchos instalados en cada uno de sus rines se en-
- cuentran en perfecto estado.- Al QUINTO: El tribunal acuerda que se
- tome fotografía de cada uno de los cauchos instalados en cada uno -
de los rines del vehículo inspeccionado, las cuales se agregan a la presente inspección.— AL SÉPTIMO: El tribunal acuerda que tomen fotografía de la carrocería y la condición que presenta el vehículo inspeccionado, las cuales se agreguen a la presente inspección.— AL DÉCIMO: El tribunal deja constancia con la ayuda del experto que el vehículo inspeccionado presenta descuerdas generales, bandimieca de techo y capo, por theories reventado, vidrio trasero izquierdo reventado, puertas y paralelas inscrites. En este estado el solicitante solicita al tribunal que se deje constancia del kilometraje que presenta el vehículo, del año y suprimento cuadro de repuesto así mismo que se deje constancia de la marca, tipo, serial medida y estado en que se encuentra el cuadro de repuesto inspeccionado, igualmente pidiendo que el tribunal deje constancia del tipo de suspensión que presente el vehículo inspeccionado. En este estado el tribunal acuerda lo solicitado por la parte solicitante y deja constancia al kilométraje que se evidencia al momento de la inspección es 49,101, el año del vehículo inspeccionado 1,998, el vehículo inspeccionado presente cuadro de repuesto marca goodyear, tipo wrangler, n°/s medidas 235/70 r16, serial DOT FMVSS 110, el cuadro de repuesto se encuentran en perfecto estado (nuevo). El tribunal deja constancia que la suspensión que presenta el vehículo es tipo australiana.— El tribunal deja constancia que la marca de la cámara utilizada es polaroid instantánea close-up 66. El tribunal deja constancia que las fotografías fueron tomadas en su presencia y que no reproducciones con fiel y exactas de los hechos evidenciados en la presente inspección y ordena agregarlo al expediente.— Por cuanto no existe otra diligencia que practicar el tribunal acuerda regresar a su sede ordinaria siendo las 9:00 horas de las mañanas.— En todo término, se leyó y conforme.

Firmas:

LA JUEZ PROVINCIAL

EL EXPERTO FOTOGRAFO

EL EXPERTO MECANICO

EL ARGUERADO JUDICIAL
La ley establece que los gastos que se deben pagar en el caso de que se trate del monto total de estas garantías, deben ser pagados en las condiciones y términos que sean acordados con las partes participantes.

Los gastos que se deben pagar en el caso de que se trate del monto total de estas garantías, deben ser pagados en las condiciones y términos que sean acordados con las partes participantes.

El presente documento es una copia del original del acuerdo que se menciona en el acuerdo anterior.

[Signature]

[Date]
REPUBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
ARCHIVO

No. ______________
Pza. No. ______________

DEMANDANTE (S) ______________

DEMANDADO (S) ______________

MOTIVO ______________

TRIBUNAL ______________
Fecha de entrada: Día __________ Mes __________ Año __________

REMITIDO ______________
Día __________ Mes __________ Año __________

REMITIDO ______________
Día __________ Mes __________ Año __________

TERMINADO EN FECHA ______________

C-10
Ciudadano

Juez del municipio Santiago Mariño del estado Aragua

Su despacho:

Yo, Aracelis del Valle Urdaneta N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.062.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 26.705, procediendo en este acto en mi carácter de apoderada, según se evidencia en el instrumento poder otorgado ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó notado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1996, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respectivamente ocurrió y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, pero la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se olvide, el requisito de la distribución, con el fin de que el tribunal se traslade y continúe en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUIDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se toman fotografías de cada uno de
los cascos instalados en cada uno de los rines del vehículo inspeccionado. SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 a continuación, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense de nacionalidad, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezuela), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, cumplidas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.062.174, respectivamente, inscritos ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconocimientos, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a-bien...
Por BFVZ

JORGE A. GONZÁLEZ A.
REGISTRO POLÍTICO DE VENEZUELA.

NÚMERO FÍSICO SECTA DE VALLENCIA D EP:

El anterior documento, redactado por el Abogado:

Inscripto en el INPREBLOGADO bajo el No. 6722.

Fue presentado para su AUTENTICACION Y DEVOLUCION, según plantilla N°

3878.

de fecha: 14 | 18 | 2000. Presenta(s) su(s) otorgante(s) dijo(eron)

Nombre: JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en su carácter)

del Presidente de "FRIEGOFRIE FIRESTONE VEDECO, C.A.."

Mujer (s) de edad, domiciliada (s) en: VALENCIA,

De Nacionalidad (s): ESTADOUNIDENSE

De estado civil: Casado

Título (es) de la (s) Cédula (s) de Identidad Número (es) 81-407-486

Leído y confrontado el original con sus Fotocopiás y firmado en estos y en el presente

original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso (vieron) "SU

CONTENIDO ES CEREOY MIA (NUESTRAS) LA (LAS) FIRMA(S) QUE APARECE(N)

AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO

en presencia de los testigos escriturales: MILAGROS RUEDA Y MIGUEL BOADA.

Títulos de las Cédulas de Identidad Números V-4-872-554 Y V-4-684-501, dejándolo

inscripto bajo el No. 6722. TOMO 79. de los libros de AUTENTICACIONES

Elevados por esta Notaria. LA NOTARIO QUE SUSCRIYE HACE CONSTAR QUE TUVO PARA SU
DÉBOLICIÓN REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITAS ANTE EL REGISTRO MERCANTIL QUE LLEVO EL JUZGADO DE PRIMERA INSTANCIA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 25-7-91, BAJO EL N° 1, CONTEMPLANDO SUS REFORMAS EN UN SOLO CUERPO SEGÚN ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 29-8-97, BAJO EL N° 8, TONO B-A, AUTORIZADO PARA ESTE ACTO SEGÚN DE EVIDENCIA EN LA CLÁUSULA DUODÉCIMA EN SU PARTE "C" DEL DOCUMENTO CONSTITUTIVO ESTATUTARIO. E IGUALMENTE DEJA CONSTATAR QUE PARA ESTE ACTO AUTORIZADO A LA CIUDADANA MARÍA VICTORIA RODRÍGUEZ CON CÉDULA DE IDENTIDAD N° 3-096164, ESCRIBENTE I DE ESTE NOTARIO PARA PRESENTAR Dicho OTORGAMIENTO CONFORME EL ARTÍCULO 49 DEL REGÁNDETO DE NOTARIAS PÚBLICAS EN LAS OFICINAS DE BRIDGESTONE CARRETERA VIEJA VLA LOS GUAYOS EN VALENCIA, A LAS 10:00 H. EL PODERDANTE.

LOS TESTIGOS.

EL NOTARIO AUTORIZADO.
Se acordó este informe que se acuerde para:

Lo referente a lo que se dijo en la reunión.

Firmado:

[Signatura]

En esta fecha se firmó y se entregó.

[Fecha]
en el día de hoy veintisiete (27) de marzo del año dos mil uno, siendo las 9:15 horas de la mañana, previa habilitación del tiempo necesario, se traslada y constituye el tribunal en compañía de la abogada ALICIA LIZ DEL VALLE URBANIZA, inscrita en el impresionado nro. 30.705, en su carácter de apoderada judicial de Bridgestone Firestone Venezolana C.A, a la siguiente dirección avenida los aviones 829 oeste donde funciona EL TALLER MARINAR C.A., a los fines de practicar de inspección judicial a que se contrae la presente solicitud. El tribunal deja constancia que el encargado del taller donde estamos constituido es nego a intervenirse, pero permitió el acceso al sitio de inspección. En este estado el tribunal designa como experto fotógrafo al ciudadano Jorge ANTONIO colmenares, titular de la cédula de identidad nro. 386.596 y como perito mecánico al ciudadano gonzález gavid, titular de la cédula de identidad nro. 11.089.574, quienes estando presentes aceptaron el cargo y juraron cumplir bien y fielmente, en este estado el tribunal pasa a dejar constancia sobre los particulares contenidos en la presente solicitud de la siguiente manera: AL PRIMERO: el tribunal deja constancia que realmente donde este constituido se encuentra un vehículo marcos ford, modelo explorer, XLT 1998, tipo 4x4, color blanco, place 68P-350. AL SEGUNDO: el tribunal deja constancia que el vehículo antes identificado tiene colocados cuatro cuachos en sus respectivos pieses.- AL TERCERO: el tribunal deja constancia que el cuacho delantero derecho es de marcos good-year, tipo wrangler, 235/70 R16 serial DOT PBUR 2244 3500, cuacho delantero izquierdo marcos good-year, tipo wrangler, 235/70 R16 serial DOT PBUR 2244 3500, cuacho trasero derecho marcos good-year, tipo wrangler 235/70 R16 serial DOT PBUR 2244 3500, cuacho trasero izquierdo marcos good-year, tipo wrangler-235/70 R16 serial DOT PBUR 2244 3500. AL CUARTO: el tribunal deja constancia que el cuacho delantero derecho se encuentra en buen estado, cuacho delantero izquierdo se encuentra en buen estado, cuacho trasero derecho se encuentra en buen estado aunque desinflado, cuacho trasero izquierdo se encuentra totalmente destronado y su banda de rodamiento despegada y maltratada, así como sus intersecces.- AL QUINT
T0: El tribunal deja constancia que se le tomó fotografía a cada uno de los dos cauchos instalados en cada uno de los rines del vehículo inspeccionado. — AL SEXTO: El tribunal deja constancia que se le tomó fotografía a la carrocería y la condición que presenta el vehículo inspeccionado. — AL SÉPTIMO: El tribunal deja constancia, con la ayuda del experto que el vehículo inspeccionado presenta daños generizado, explosión de todos sus vidrios, hundimiento de toda la parte superior, descanso de puertas y parasoles, cama de inservible. — En este estado el solicitante solicita al tribunal que se dé constancia del kilómetro que presenta el vehículo. — En este estado el tribunal acuerda lo solicitado por el parte solicitante y deja constancia que el kilómetro que se evidencia al momento de la inspección es 52.837. El tribunal deja constancia que la marca de la cámara utilizada es pellicola polaroid instantánea, close-up 676. — El tribunal deja constancia que las fotografías fueron tomadas en su presencia y sus reproducciones son fieles y exactas de los hechos evidenciados en la presente inspección y ordena agregarlas al expediente. — Por cuanto no existe otra diligencia que practicar el tribunal acuerda regresar a su sede ordinaria, siendo las 10:00 horas de la mañana, ya todo, término, se leyó y conformes firman.

LA JUEZ JUVENIL

EL INTEGRANTE FOTOGRAFO

EL ASISTENTE JUDICIAL

EL NOTIFICADO
QUI SE NIDO A PÚBLICO

EL ASISTENTE LEGAL

LA SECRETARIA AG.
REPUBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
ARCHIVO

DEMANDANTE (S) 

DEMANDADO (S) 

MOTIVO 

TRIBUNAL
Fecha de entrada: Día ___ Mes ___ Año ___

REMITIDO

TERMINADO EN FECHA
Ciudadano
Abogada Gladys Guadalupe Girón
JUEZ DEL MUNICIPIO SANTIAGO MARÍN DEL ESTADO ARAGUA
Su Despacho:

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto en mi carácter deスポブラダ, según se evidencia de instrumento poder otorgado por ante la Notaria Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asambleas General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocuro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se otorgue, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de inspección Judicial, de los personales siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se tomen fotografías de cada uno de
los cauchos instalados en cada uno de los rines del vehículo inspeccionado. 

SEXTO. Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. 

SÉPTIMO. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem. se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproduciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense mayor de edad, hábil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que concurso en nomore de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien.
enviamento de los Tribunales, funcionarios y Organismos competentes de la República, de Distrito, Municipios, y demás personas naturales o jurídicas de carácter público o privado, se dispone que las facultades aquí enunciadas son a título meramente notarial. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valgan, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
RESIDENTE: BOLIVARIANA DE VENEZUELA.

PÚBLICA SEXTA DE VALENCIA DEL MUNICIPIO.

Firmas firmado por el Abogado FRANCISCO GIMÉNEZ.

Inscrito en el INPIRIBOGADO bajo el No. 2494.

Fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planta N° 66/780.

Fecha: 16 | 10 | 2000. Presentas(as) sus(s) otorgante(s) dijeron:

Nombres: JORGE ANTONIO GONZÁLEZ ALVAREZ (Actuando en su carácter de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.").

... 

Maior(es) de edad, domiciliado(s) en: VALENCIA.

De Nacionalidad (es): ESTADOUNIDENSE.

De estado civil: 

Títular(es) de la(s) Cédula(s) de Identidad Número(s) E-97, 97, 97.

Leído y confrontado el original con las Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso(ron) "SU CONTENIDO ES CEREO, Y MIA (NUESTRAS) LA (LAS) FIRMA(S) QUE APARECE (N) AL PIE DEL INSTRUMENTO ". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escritos: MILAGROS RUEDA Y MIGUEL BOADA.

Títulares de las Cédulas de Identidad Números V-787.554 Y V-4.684.501, dejándolo inscrito bajo el Nº 51, TOMO 78, de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVO PARA SU
en el día de hoy tres (3) de abril del año dos mil uno, siendo las 8:20 horas de la mañana, previo habilitación del tiempo necesario a su traslado y constituyó el tribunal en compañía de la abogada presenció el yerno ordenada, inscrita en el impresionado pro. 50.706 en su carácter de poseedora judicial de Bridgestone Firestone Venezolana S.A., a la siguiente dirección vía la Concepción, vaticinamiento 2000, jurisdicción del municipio Santiago Grillo del estado Aragua, con los fines de practicar inspección judicial a que se opone la presente solicitud, presente el ciudadano JULIO FLORES, titular de la cédula de identidad no. 344.915, quien el tribunal le impuso su misión y permitió el acceso a taller estacionamiento 2000, sin este estado el tribunal designó como experto fotógrafo el ciudadano JORGE ANTONIO COMERARTE, titular de la cédula de identidad no. 396.596, y como perito mecánico el ciudadano DAVID GONZÁLEZ, titular de la cédula de identidad no. 11.089.574, quienes estando presentes aceptaron el cargo y juzgaron cumplir bien y fielmente. En este estado el tribunal puso a dejar constancia sobre los particulares contenidos en la presente solicitud de la siguiente manera: AL PRINCIPAL: El tribunal deja constancia que donde se encuentra constituido hoy un vehículo marca Ford, modelo Explorer, 4x4 año 1.998, color azul, placas DPTM 82M. AL MITO: El tribunal deja constancia con el apoyo del experto que el vehículo inspeccionado posee 4 cascos instalados en cada uno de sus respectivos rines. AL TACHÓN: El tribunal deja constancia con la ayuda del experto que el suelo delantero derecho es de marca Good-year, tipo Wrangler RT/S medida P255/70 R16, serial DOT HECU NOIR 2900, suelo delantero izquierdo marca Good-year, tipo Wrangler, RT/S medida P255/70 R16, serial DOT HECU NOIR 2900, suelo trasero derecho marca Good-year, tipo Wrangler, RT/S medida P255/70 R16 serial DOT HECU NOIR 2900, suelo trasero izquierdo marca Good-year, tipo - Wrangler RT/S medida P255/70 R16, serial DOT HECU NOIR 2900. AL --
CUARTO: El tribunal deja constancia con la ayuda del experto que los cuatro esquarnos instalados en el vehículo inspeccionado se encuentran en perfecto estado (nuevos). - AL QUINTO: El tribunal deja constancia que se le tomaron fotografías a cada uno de los esquarnos instalados en cada uno de los rincones del vehículo inspeccionado. - AL SEXTO: El tribunal deja constancia que se le tomaron fotografías a la carrocería y la confección que presenta el vehículo inspeccionado. - AL SEPTIMO: El tribunal deja constancia con la ayuda del experto que el vehículo inspeccionado presenta descuides severo generalizado, montaje severo del piso, descuides de todas sus puertas y parales, explosión de todos los vidrios, descuido total de su parte frontal y de su parte trasera. - En este estado la reclamante solicita al tribunal se deje constancia del kilometraje que se evidencia en el momento de la inspección, igualmente se posee cuadro de repuesto, que señala la marca, tipo, medidas y serial y el estado del mismo, y que se agreguen las fotografías. - En este estado el tribunal pasa a dejar constancia de los hechos pedidos por la reclamante. - El tribunal deja constancia con la ayuda del experto que el kilometraje es de 45,945, el vehículo inspeccionado posee cuadro de repuesto marca good-year, tipo wrangler, m/8 medidas P235/70 R16 serial DOT 20011400 2900, y se encuentra en perfecto estado (sin uso). - En este estado el tribunal acuerda agregar las fotos tomadas por el experto en el vehículo inspeccionado a la presente inspección. - El tribunal deja constancia que la marca de la guarnición utilizada para tomar las fotografías es una polaroid instantáneas, close-up 6x6 - por cuanto no existe otra diligencia que práctica el tribunal acuerda progresar en su sede ordinaria siendo las 9:00 horas de la mañana. - al termino, se leyó y conforme firman:

[Signaturas]
A...GO DEL MUNICIPIO SANTIAGO MARÍA DEL ESTADO ANAGUA.
Tumacoe, Vesp (03) de Abril de 2001

Ano 1898 y 1899

Este año como ha sido la presente solicitud este Tribunal acuerda devolver original con sus anotaciones.

La Juez Presidente

[Signature]
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

ARCHIVO

No. 2512-2001

Demanda por

América Del Malle, Membrete, C.
(Bridgestone Firestone Venezue.)

Demanda por


Motivo

Explosión, Técnica

Tribunal

Fecha de entrada: Día __, Mes __, Año __

Remitido:

Día __, Mes __, Año __

Remitido:

Día __, Mes __, Año __

Terminado en fecha

Pá. No.

Ciudadana

JUZGADO DEL MUNICIPIO SANTIAGO MARÍN DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO ARAGUA

Su Despacho.-

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el Nº 30.706, proceñiendo en este acto en mi carácter de apoderada, según se evidencia de testamento poder otorgado por ante la Notaría Pública Sents de Valencia, en fecha 25 de octubre del 2000, el cual quedó notado bajo el Nº 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compártida antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el Nº 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asambleas General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el Nº 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo. De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, junta la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvié, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, y el tipo, color y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento. QUINTO: Se tomen fotografías de cada uno de
los cauchos instalados en cada uno de los rines del vehículo inspeccionado. **SEXTO.** Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. **SEPTIMO.** Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueran realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estudiante universitario de edad
habitual en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de
la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de
BRIDGESTONE FIRESTONE VENEZOLANA C.A. (antes denominada C.A.
Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el
Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción
judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro.
1.1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea
General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero
de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo
el Nro. 2, Tomo 8-A, autorizado para el acto según se evidencia en la Causula
Duodécima en su parte “C” del Decreto Constitutivo Estatutario, por el presente
documento declaro: Que confiero en nomme de mi representada, Poder especial pero
amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL
COLOMANNES y ARACELIS URDANETA NAVAS, venezolanos, mayores de
edad, solteros, habiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502
y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del
Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de éste
domicilio, para que conjuntamente o separadamente representen y sostengan los derechos,
acciones e intereses, de mi representada BRIDGESTONE FIRESTONE
VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente
mandato, quedan facultados los nombrados Apoderados para intentar, contestar
demandas, darse por citados y notificados; oponer y contestar excepciones y
reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de
derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y
executivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes,
inclusivo el de Casación, hacer posturas en remate y recibir adjudicaciones. Los
apoderados podrán nombrar apoderados especiales para asuntos determinados cuando
lo juzguen conveniente o lo requiera la Ley, sustituyéndolos en todo o en parte,
reservándose o no su ejercicio y reasumiéndolo en cualquier tiempo cuando a bien
tuviese en los Tribunales, funcionarios y Organismos competentes de la República,
los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o
privado. En entendido que las facultades aquí enunciadas son a título meramente
executivo económico fiscal. Se hacen dos ejemplares de un mismo tenor y a un solo
efecto. Valenzuela, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
RESERVA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA DEL MUNICIPIO DE VALENCIA.

En el anterior documento, redactado por el Abogado...

Inscrito en el INPREABOGADO bajo el No 67195. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla N° 26798.

Fecha: 14 de febrero de 2000. Presente(1) su(s) otorgante(s) dijo(eron):

Nombre(s): JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en su condición de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A."

Mayor(es) de edad, domiciliado(s) en VALENCIA.

DE Nacionalidad: ESTADOUNIDENSE.

Estado civil: CASADO.

Título(s) y Cédula(s): N° E-41,467,493.

Leído y confrontado el original con sus Fotocopia(s) y firmado(ados) en estas y en el presente original en presencia de LA NOTARIO, EL (LOS) OTORGANTE(S) expuso(eron) "SU CONTENIDO ES CIERTO Y MIA (NUESTRAS) LA (LOS) FIRMA(S) QUE APEACE(EN) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos presentes: MILAGROS RUEDA Y MIGUEL BOADA.

Titulares de las Cédulas de Identidad Números V-4,872,554 Y V-4,684,501, dejándolos inserto bajo el N° 61, TOMO 79, de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUYO PARA SU
VERIFICADO.

SOLIVANIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA. DEL MUNICIPIO DE VALENCIA. DEL TRIBUNAL DE VALENCIA. DEL FECHADO.

Inscrito en el INPREABOGADO bajo el No. 36791. Presente para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla No. 36791 de fecha 14-10-2000. Presente(s) sus(o) otorgante(s) dijo(eron):

NOMBRE: JORGE ANTONIO GONZÁLEZ ALVAREZ actuando en su carácter de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.".

MAYOR ES DE EDAD, DOMICILIADO(S) EN VALENCIA.

DE NACIONALIDAD(S): ESTADOUNIDENSE.

DE ESTADO CIVIL: 

TITULAR (ES) DE LA (S) CÉDULA (S) DE IDENTIDAD NUMERO(S) E-87.607.491.

LEÍDO Y CONFRONTADO EL ORIGINAL CON SUS COPIAS Y FIRMA DE LA AUTENTICA, EL (LOS) OTORGANTE(S) EXPRESÓ(ON) "SU CONTENIDO ES CIERTO, Y MIA (NUESTRAS) LA (LAS) FIRMA(S) QUE APARECE(N) AL FUE DEL INSTRUMENTO", LA NOTARIO EN TAL VIRTUD, LO DECLARA AUTENTICADO EN PRESENCIA DE LOS TESTIGOS ESCRIBIENTES: MILAGROS RUIEDA Y MIGUEL BOADA.

TITULAR(S) DE LAS CÉDULAS DE IDENTIDAD NÚMERO(S) V-4.872.554 Y V-4.684.501, DEJANDO INSCRITO BAJO EL NÚMERO 47, TOMO 79, DE LOS LIBROS DE AUTENTICACIONES LLEVADOS POR ESTA NOTARIA. LA NOTARIO QUIZAS HACE CONSTAR QUE TUYO PARA SU
VERDICTO DEL JUicio que dio lugar a la constitución de esta sociedad, en fecha 29-01-97, en el registro mercantil, número 1059, de la ciudad de Valencia, con fecha el 1 de febrero de 1997.

El poderdante.

LOS TESTIGOS:

EL FUNCIONARIO AUTORIZADO.
PRESIDENTE DEL MUNICIPIO SANTIAGO MARINO DEL ESTADO ARAGUA.

TURMERO. Cinco de marzo del año 2001.

AÑOS 1899 Y 1429

Por recibida la presente solicitud presentada por el (la) Ciudadano (a): ARACELIS DEL VALLE URBANETA N., quien es venezolana, mayor de edad, titular de la Cédula de Identidad N° 7,028,174, Abogado, inscrita en el IPSA bajo los N° 30,784, actuando en su carácter de la Empresa "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.", se dé la entrada y anotes en el libro co-

respondiente, en consecuencia, se acuerda realizar el traslado y constitución del Tribunal al sitio indicado la parte actora en el escrito de solicitud, a los fines de practicar inspección judicial, a que se contrae la presente solicitud, para lo cual se fijan las 01:30 horas de la tarde del día del día de hoy, habi-

litándose el tiempo necesario para ello.

La Juez Provisoria.

La Secretaria Adj.

En esta misma fecha se hizo como fue ordenado en el auto anterior.

La misma.
En el día de hoy, Cinco (5) de Marzo del Año Dos Mil Uno, siendo las 2:00 horas de la tarde, previa habilitación del tiempo necesario, se trasladó y constituyó el tribunal en compañía de la abogada Araceli Torrejón, imprestado Nro. 50.706, e a la siguiente dirección carretera Nacional Viña del Mar, emplazamiento 2000, municipio Santiago, Marinilla del Estado Arauco, para fines de practicar inspección judicial a que se contrata la presente solicitud. Presente el ciudadano Elías Alberto Piñol Coll, titular de la cédula de identidad Nro. 70645737, en su carácter de propietario del Emplazamiento 2000 nos permitió el acceso al sitio a inspeccionar. En este estado el Tribunal designó como experto fotógrafo al ciudadano Jorge Antonio Colmenares, titular de la cédula de identidad Nro. 586.596 y como perito mecánico al ciudadano David González, titular de la cédula de identidad Nro. 11.089.574, quienes estando presentes aceptaron el cargo y juraron cumplir bien y fiamente, en este estado el tribunal para dejar constancia sobre los particulares contenidos en la presente solicitud de la siguiente manera: AL PRIMERO: El tribunal deja constancia que realmente donde constituido se encuentra un vehículo marca Ford, modelo Explorer color azul, placas KAY94-L.- AL SEGUNDO: El tribunal deja constancia que el vehículo ante identificado tiene colocado tres cauchos y uno se encuentra en la parte trasera del carro. AL TERCERO: El tribunal deja constancia que la marca del caucho es Good-Year, tipo Wrangler, rt/s, medida LT235/75 R15, serial DOT PHRL 2184 3200, y el mismo se encuentra colocado en la parte delantera derecha, caucho delantero izquierdo que este dentro de la emplazación, el mismo es marca Good-Year, tipo Wrangler rt/s, medida LT - 235/75 R15, serial DOT PHRL 2184 3200, caucho trasero derecho marca Good-Year, tipo Wrangler rt/s, medida LT 235/75 R15, serial DOT PHRL 2184 3200, el caucho trasero izquierdo marca Good-Year, tipo Wrangler rt/s, medida LT 235/75 R15, serial DOT PHRL 2184 3200 y todos poseen sus rines. AL CUARTO: El tribunal deja constancia que las condiciones generales de los cauchos instalados y con cada uno de sus rines, los cauchos se encuentran en buen estado, y solo el caucho delantero izquierdo se encuentra con una perforación en unos de sus lados, cuanto
a los rines los que estan colocados al lado derecho tanto delantero como trasero presentan daños por impactos y los rines izquierdos tanto el delantero como el trasero se encuentran en buen estado, igualmente el tribunal deja constancia que la banda de rodamiento de los asientos identificados se encuentran en perfecto estado. AL QUINTO: El tribunal deja constancia que se le tomaron fotografias a cada uno de los asientos instalados con sus rines al vehiculo inspeccionado. AL SEXTO: El tribunal deja constancia que se tomaron fotografias a la carroceria del carro en las condiciones que se encuentran el vehiculo. AL SETIMO: El tribunal deja constancia con ayuda del experto que el vehiculo inspeccionado presento descuadrageneralizado, desbundre de compuesto, trompa descuadradada, la exposición de casi todos sus vidrios, hundimiento de la parte izquierda de la carroceria, hecho totalmente inexcusable, puertas y marcos descuadrados, abolladuras y raspaduras múltiples. AL OCTAVO: En este estado la solicitante solicita al tribunal que se deje constancia del kilometraje, del año y si presenta daño de respeto el auto inspeccionado de lo del estado que presente el callo de respeto. Y en este estado el tribunal acuerda lo solicitado por la parte solicitante y deja constancia que el kilometraje que se evidencia al momento de la inspección es de 67,178, el año del vehiculo inspeccionado 1998, el callo de respeto que se encuentra en el vehiculo inspeccionado es de marcas Goodyear tipo Wrangler MT/SA medida LT 235/75 R15, serial DOT PHIL. 2484 3200 el mismo se encuentra en perfecto estado de conservación (nuevo). El tribunal deja constancia que la marca de la goma utilizada es Polaris instales goma-up 636. El tribunal deja constancia que las fotografias fueron tomadas en su presencia y que son reproducciones exactas de los hechos evidenciados en la presencia de imposición y ordena allegar al expediente. Por cuanto no existe otro diligencia que permita al tribunal acuerda regresar a su sede ordinaria, siendo las 2:35 horas de la tarde, que todo terminó, se leyó y conformes firman.

LA JUEA PROVISO

EL FOTOFILMO
GABO DEL MUNICIPIO SANTIAGO MARINO DEL ESTADO ARAGUA. -

TURMERO, Cinco de Marzo del año Dos Mil Uno. -

Evaluada como ha sido la solicitud por este Tribunal, se acuerda en consecuencia devolver original con sus resultados a la parte solicitante.

LA JUEZ PROVISÓRIO.

M.GUADALUPE GIRON DIAZ

LA SECRETARIA ACC.

YIRGETTE M. IBAÑA G.

En esta misma fecha se hizo como fue ordenado en el auto anterior.

LA 'STIA ACC.
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

ILICITANTE (S): ______

OTIVO: ______

JUZGADO: ______

FECHA DE ENTRADA: Día ___________ Mes ___________ Año ___________

FECHA DEVOLUCIÓN: Día ___________ Mes ___________ Año ___________
Ciudadana

JUEZA DEL MUNICIPIO RÓMULO GALLEGOS DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO APURE

Su Despacho.-

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad No. V-7 082 174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el No. 30 706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el No. 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el No. 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el No. 2, Tomo 8-A, ante usted respetuosamente ocupo y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvié, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. QUINTO: Se tomen fotografías de la carrocería y las
condiciones en que se encuentra el vehículo inspeccionado. SEXTO. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueran realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracias que espero, en la fecha de su presentación.

[Signature]
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, nacido en el Estado de Carabobo, domiciliado en la ciudad de Valencia, registrador civil de la Cédula de Identidad N° 81.607.491, miembro de la Asamblea General Extraordinaria de Accionistas e inscrito ante el Registro Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, cumplida su reforma en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha diecinueve (19) de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en el Códice de la Cédula de Identidad, en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro que confiero mi nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hablantes en derecho, titulares de las Cédulas de Identidad Nro. 7.067.302 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Estado, abogados bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjuntos o separadamente representen y sostengan los derechos, acciones e intereses de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los nombrados Apoderados para intentar, contestar demandas, dar por citados y notificados; oponer y contestar excepciones y recursos, convenir, pactar, comprometer en ámbitos arbitrales o de derecho, promover y ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que conciengan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumiéndolo en cualquier tiempo cuando a bien...
REPÚBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENZA. DEL MUNICIPIO VALENZA, DEL DEPARTAMENTO DEL ORINOCO.

Refiriéndome a la anterior documentación, redactada por el Abogado FRANCISCO GIMÉNEZ DE OLIVAS, presente en el INSCRIBIDO bajo el No. 67251. Fue presentado para su AUTENTICACIÓN Y DEVOLUCION, según el planilla N° 36576, de fecha 15 de Julio de 2000. Presentó(s) su(s) otorgante(s) dijo(eron)

NOMBRE: JOSÉ ANTONIO GONZÁLEZ ALVAREZ (actuando en su condición de Presidente de "BRIDGESTONE FIRESTONE VENEZUELANA, C.A.")

Mayor(es) de edad, domiciliado(s) en VALENZA.

De Nacionalidad( en): ESTADOUNIDENSE.

De estado civil: (Casado)

Titular(es) de la(s) Cédula(s) de Identidad Número(s) 87,687,491.

Leído y confrontado el original con sus Fotocopias y firmado en estos y en el presente original en presencia de LA NOTARIO. EL(o) OTORGANTE(s) expresó(aron) "SU CONTENIDO ES CIERLO, Y MÍA (NUESTRAS) LA (LAS) FIRMAS(S) QUE APARECE(AN) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, declara AUTENTICADO en presencia de los testigos escribientes: MILAGROS RUIEDA Y MIGUEL BOADA. Titulares de las Cédulas de Identidad Números V-4,827,554 y V-4,684,501, dejándole inserto bajo el N° 61, TOMO N° 70, de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSTIJE HACE CONSTAR QUE TUVO PARA SU
Nº DE EXPEDIENTE: 004-2001

LEY DE TRÁNSITO TERRESTRE ARTÍCULO Nº 76 PARÁGRAFO SEGUNDO:

“EN CASO DE ACCIDENTES DE TRÁNSITO DONDE RESULTEN PERSONAS LESIONADAS O FALLECIDAS, LA AUTORIDAD ADMINISTRATIVA QUE CONOZCA AL CASO, EXPEDIRÁ COPIA CERTIFICADA DE LAS ACTUACIONES QUE HAYA PROCEDIDO AÚN EN EL SUMARIO A REQUERIMIENTO DEL JUEZ QUE CONOZCA DE LA CAUSA CIVIL O DE PARTE INTERESADA “

EL TRÁNSITO ES UN PROBLEMA DE TODOS

JEFE DE LA SALA: 2/MARCO T. VALENZANO DESIGNADO
Por cuanto de la solicitud interpuesta por el Ciudadano: DAVID GONZALEZ MALDON

relacionada con las actuaciones por Accidente de Tránsito de Expediente 006-2001, encontrándose las mismas en este despacho en proceso de instrucción, se acuerda expedir las Copias requeridas de conformidad con lo establecido en el Artículo 76 parágrafo Segundo de la Ley de Tránsito Terrestre, y se comisiona al

para fotocopiar los folios contenidos en dicho Expediente y

seguidamente se dio cumplimiento al auto que antecede.
ACTA POLICIAL

MINISTERIO DE INFRAESTRUCTURA
DIRECCIÓN GENERAL SECTORIAL DEL SERVICIO AUTÓNOMO
DE TRANSPORTE Y TRÁNSITO TERRESTRE
DIRECCIÓN DE VIGILANCIA
UNIDAD ESTATAL DE VIGILANCIA DE TRÁNSITO TERRESTRE N° 44 APURE

NÚMERO DE PROCEDENCIA DE ACTORES

ACTA POLICIAL

No. 02 de ABRIL de 2001, en esta misma fecha, en el término municipal de San Juan de los Morros, en el Parque de Vehículos, se registró un accidente entre un automóvil modelo CHEVROLET, matrícula 231209, conducido por el sujeto IDENTIFICADO, y un electrodoméstico, con número de serie 1234567. El conductor del automóvil, IDENTIFICADO, fue sorprendido en el lugar del accidente, en el que se observó que el vehículo había impactado contra un poste. El accidente fue testificado por testigos identificados como TESTIGO 1 y TESTIGO 2.

En el lugar del accidente, se encontraron varias piezas del vehículo dañadas, así como evidencias de impacto. Se realizó una inspección exhaustiva del vehículo, que resultó en la identificación de varias partes dañadas. El conductor del vehículo, IDENTIFICADO, fue detenido y su licencia de conducir fue computada.

La escena del accidente fue documentada gráficamente por el perito, quien realizó un informe detallado de los hechos sucedidos. La investigación está en curso para determinar la causa del accidente y las responsabilidades involucradas.

La autoridad competente se ha informado sobre el accidente y se están tomando medidas para asegurar la seguridad de los usuarios de la vía pública.

San Juan de los Morros, ABRIL de 2001.

[Signature]

[Signature]
desvío y 6000 metros lado izquierdo de mercancías de coches de más de medio 3000 metros lado derecho y 2,000 metros lado izquierdo también 3000 metros de coches dejados quedan en el parqueamiento por dicho vehículo. El punto de impacto quedó sobre el asfalto a una distancia de 6,000 metros; del borde de la vía con relación: El punto del impacto el Eje trasero del vehículo quedó a una distancia de 7,000 metros, el Eje trasero al borde de la vía quedó a una distancia de 8,000 metros, del Eje delantero del vehículo al borde de la vía quedó a una distancia de 9,000 metros, del Eje delantero del mismo vehículo al borde de la vía quedó a una distancia de 10,000 metros; luego recorrería el vehículo hasta la vía y luego se encontró en el Estracionamiento "Villaflor" de Kuntocai. Seguido de inmediato se trasladó de nuevo al Hospital Dr. Hernán Lucena, donde se informó a la Dra. Carmen Alvear, que la ciudadana Lourdes Sánchez, quien se encontraba lesionada, había fallecido posteriormente en el Hospital y el ciudadano Ángel Eloy Sánchez, quien también se encontraba lesionado había fallecido cuando lo llevaron a trasladar a un Hospital hacia la ciudad de Huaraz, conjuntamente con los otros lesionados se encontraba José Torres Camacho (Conductor del vehículo) y Luis Alfredo Sánchez. Luego se dirige a la Fiscalía General del Ministerio Público y se notifica al Dr. Gerónimo Sánchez (Fiscal Auxiliar) de esta localidad quien se encontraba de guardia en dicha Fiscalía, informándole de que lo notificado sobre el accidente, luego se trasladó a su área.
<table>
<thead>
<tr>
<th>No.</th>
<th>Nombre y Apellidos</th>
<th>Profesión</th>
<th>Dirección de Residencia</th>
<th>Lesiones Suffered</th>
<th>Médico que Atendió</th>
<th>Centro de Asistencia</th>
<th>Notas, Comentarios, Observaciones</th>
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<tr>
<td>02</td>
<td>Jorge Torres Auser</td>
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<td>Luis Alfonso</td>
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<td>Andrés Núñez</td>
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BOLITÍA DE CITACIÓN

1486

REPUBLICA BOLÍVARANA DE VENEZUELA
MINISTERIO DE INFRAESTRUCTURA
DIRECCIÓN GENERAL SECTORIAL DEL SERVICIO AUTÓNOMO
DE TRANSPORTE Y TRÁNSITO TERRESTRE
DIRECCIÓN DE VIGILANCIA
UNIDAD ESTATAL DE VIGILANCIA DE TRÁNSITO TERRESTRE N° 14 APURE
C. O. M. A. N. D. O.

MOTIVO:

ACCIDENTE DE TRÁNSITO

FECHA

HORA 11:30 AM

INFRACCIÓN

LUGAR: CARRETERO NACIONAL MONTEVELLE, SECTOR CAMPO CARACO.

AL CIUDADANO: JORGE RODRIGUEZ MORALES

CONDUCTOR: [signature]

PLACA: [signature]

AÑO: [signature]

REMOLQUE: [signature]

COMPARCERÁ: [signature]

FECHA: [signature]

HORA: [signature]

OBSERVACIONES: [signature]

[Seal]
CERTIFICACIÓN:

Firma suscrita, mediante la presente hace constar que certifica la exactitud de las copias fotostáticas que anteceden, las cuales son traslado fiel y exacto de su original. Accidente de Tránsito de tipo: **COCHE CON CICLO (ARROLLO) CON LESIONADOS Y MUERTOS.**

Ocurrido en el sitio denominado: **CARRERAS RACIALIS MANANTAL-INDUSTRIAL SECTOR CALCARA.**

 Expediente signado con el N° **004-2001** manteniéndose el mismo en proceso de instrucción por ante la Oficina Procesadora de Accidente de la Unidad Estatal de Vigilancia de Tránsito Terrestre San Fernando de apure.

CONFORME,
VISTA, Y DEvolución REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITA POR ANTE EL REGISTRO MERCANTIL QUE LIEVE EL JUZGADO DE PRIMERA INSTANCIA EN UC CIVIL Y MERCANTIL DE ESTA CIRCUNSTANCIA JUDICIAL, EN FECHA 23-7-54, BAJO EL N° 1, COMPAÑEROS SUS REINOS EN UN SOLO CUERPO SEGUN CONSTANTE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, ESCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSTANCIA JUDICIAL, EN FECHA 23-7-54, BAJO EL N° 2, TOMO 4-A, AUTORIZADO PARA ESTE ACTO SEGUN SÉ DIFERENCIA EN LA CLÁUSULA MUSICALES EN SU PARTE "T" DEL DOCUMENTO CONSTITUYENTE ESTATUTARIO. DOI IGUALMENTE DEJA CONSTAR QUE PARA ESTE ACTO AUTORIZADO A LA CIUDADANA MARIA VICTORIA RODRIGUES CON CÉDULA DE IDENTIDAD 9-3.248. 180, EScriBENTE Y DE ESTA NOTARIA PARA PRENDER PISON ESCRITO EN LA CONFORMES EL ARTÍCULO 29 DEL REGIMIENTO DE NOTARIAS PÚBLICAS EN LAS OFICINAS DE EXEEDERNO DE CARRETERA LIEZ VÍA LOS GUARDOS EN VALENCIA, A LAS 11:05 PM.

LOS TESTORES.

EL PUEDEMAT

EL funcionario AUTORIZADO.
1492
...
1500

REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE (S): APACELIS DEL VALLE UDANETA N.

MOTIVO: INSPECCION JUDICIAL

JUZGADO: DEL MUNICIPIO MONACO GALLEGOS

FECHA DE ENTRADA: Día 23 Mes ABRIL Año 2001

FECHA DE DEVOLUCIÓN: Día Mes Año
REPÚBLICA BOLIVARIANA DE VENEZUELA
MINISTERIO DE INFRAESTRUCTURA
DIRECCION GENERAL SECTORIAL DEL SERVICIO AUTÓNOMO
DE TRANSPORTE Y TRÁNSITO TERRESTRE
DIRECCION DE VIGILANCIA
/ UNIDAD ESTATAL DE VIGILANCIA DE TRÁNSITO TERRESTRE Nº 44 APURE
OFICINA PROCESADORA DE ACCIDENTES

N° DE EXPEDIENTE - 004-2001 -

LEY DE TRÁNSITO TERRESTRE ARTÍCULO Nº 76 PARÁGRAFO SEGUNDO:

"EN CASO DE ACCIDENTES DE TRÁNSITO DONDE RESULTEN PERSONAS LESIONADAS O FALLECIDAS, LA AUTORIDAD ADMINISTRATIVA QUE CONOZCA DEL CASO, EXPEDIRA COPIA CERTIFICADA DE LAS ACTUACIONES QUE HAYA PROCESADO AUN EN EL SUMARIO A REQUERIMIENTO DEL JUEZ QUE CONOZCA DE LA CAUSA CIVIL O DE PARTE INTERESADA."

EL TRÁNSITO ES UN PROBLEMA DE TODOS

JEFE DE LA SARAN/MATOS (TT) VALLEDUPAR-DELGADO.
PRESUPUESTO BOLIVIANO DE VEHÍCULOS
MINISTERIO DE INFRAESTRUCTURA
SERVICIO AUTÓNOMO DE TRÁNSITO Y TRANSPORTE TERRESTRE
SECCIÓN DE VIGILANCIA

Por cuanto de la solicitud interpuesta por el ciudadano: DAVID GONZÁLEZ MALTA

__________, titular de la Cédula de Identidad N° 33.829.714

__________, relacionada con las actuaciones por Accidente de Tránsito de Expediente

N° 006-2001, encontrándose las mismas en proceso de instrucción, se acuerda expedir las Copias requeridas de conformidad con lo establecido en el artículo 76 parágrafo Segundo de la Ley de Tránsito Terrestre, y se comisiona

G/200(TT) 357 JOSE E. FARRA

para fotocopiar los folios contenidos en dicho Expediente y

cesar en los mismos.

Provan lo conducente.

EL SECRETARIO

G/200(TT) 357 JOSE E. FARRA

Seguidamente se dio cumplimiento al auto que antecede.
MINISTERIO DE INFRAESTRUCTURA
DIRECCIÓN GENERAL SECTORIAL DEL SERVICIO AUTÓNOMO
DE TRANSPORTE Y TRÁNSITO TERRESTRE
DIRECCIÓN DE VIGILANCIA
UNIDAD ESTATAL DE VIGILANCIA DE TRÁNSITO TERRESTRE N° 44 APURE
CÁRCEL PROCESARIA DE ACCIDENTES

ACTA POLICIAL

Señor Fermín de Aguirre, 06 de Abril de 2001 en esta misma fecha, salió en su automóvil marca Ford, modelo 1997, número de placa 7197, subrayada a la Dirección de Vigilancia, luego, resultando un perjuicio, el funcionario reglamentado de Tránsito, Doctor Dios, número de placa 7197, subrayado a la Dirección de Vigilancia, resultando un perjuicio, el funcionario...
Continuación:

Sobre el sitio, efectuamos también un enfrentamiento de fuego contra el residuado M1 del señor Horihito c. 214 657 321, quienes nos habían forzado a retroceder. Notamos a donde Mario Hernández, c. 2 113 644 163, una chica, c. 2.3 734 612, Ignacio Alfonso Torres, c. 2 13 755 545, Hernán Borge Herrera, c. 2 11 761 547. Posteriormente realiza el propio descenso del habitante (otorga), disparando una ráfaga hacia el Hospital donde un comité de análisis da cuenta de los heridos de quienes se encuentran bajo los heridos que fueron los siguientes:


Luego el vehículo involucrado en el accidente fue removido. Hasta el establecimiento del comité para los informes de armamento. Del aparato, fue el comité respectivo al Estado y al Comité de la Unidad.

Continuación.
Conclusión:

Este accidente de tránsito se produce al cruzar una calle en mal estado y el vehículo de velocidad, tal y como se puede observar en el cuerpo de investigación del accidente alcanza 110 kilómetros por hora de feroz para luego perforar violentamente 9 (nueve) metros de muro de ladrillos y finalizar con 18 (dieciocho) metros de muro de cemento.
REPUBLICA BOLIVARIANA DE VENEZUELA
MINISTERIO DE INFRAESTRUCTURA
DIRECCION GENERAL SECTORIAL DEL SERVICIO AUTONOMO
DE TRANSPORTE Y TRASITO TERRESTRE

PUEMO: N° 44
APURE

SOLICITUD DE CERTIFICACION MEDICA PREVIA

CIUDADANO:

CARGO DEL MEDICO:

HOSPITAL CLINICA, PUESTO ASISTENCIAL:


EL PACIENTE INGRESO A LAS ___ H ORAS ___ MIN DE LA ___, DE LA ___, Y ___.

FIRMA DEL MEDICO
SOLICITUD DE CERTIFICACIÓN MÉDICA PREVIA

CARGO DEL MÉDICO

( HOSPITAL, CLINICA, PUESTO ASISTENCIAL, ACT)

ESTIMABLE HACER UN RECOGNICION MÉDICO AL CIUDADANO:


EL PACIENTE INGRESÓ A LAS HORAS , DEL DE ,.

FIRMA DEL MÉDICO

FIRMA DEL VIGILANTE DE TRANSITO

No. DE PLACA:
CERTIFICACIÓN:

Quien suscribe, mediante la presente hace constar que certifica la exactitud de las copias fotostáticas que anteceden, las cuales son traslado fiel y exacto de su original. Accidente de Tránsito de tipo: VOLCAMIENTO FUERA DE LA VÍA CON MUERTO Y LESIONADOS.

Ocurrido en el sitio denominado: CAÑADA NACIONAL SICILIA-GUAJALITO SECTOR BUHO NUEVO.

Expediente sigado con el N° "005-2001" manteniéndose el mismo en proceso de instrucción por ante la Oficina Procesadora de Accidente de la Unidad Estatal de Vigilancia de Tránsito Terrestre San Fernando de apuro.

CONFORME,
from stede franc
to cor. ref. 047 940 232

etam - fris 2001
ref. 01.6.22.1577

1514
Ciudadana

JUEZA DEL MUNICIPIO ROMULO GALLEGOS DE LA CIRCUNSCRIPCIÓN
JUDICIAL DEL ESTADO APURE

Su Despacho:

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada
en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada
en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.766, procediendo en este acto
en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la
Notaria Pública Senta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado
bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública,
que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A.,
compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el
Registro Mercantil que llevé el Juzgado Segundo de Primera Instancia en lo Civil y
Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de
1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de
Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil
Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997,
bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocupo y expongo: De conformidad
con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código
Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este
honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin
de que el tribunal se traslade y continúe en la dirección que oportunamente le señalaré, a
fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un
vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el
vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4)
caucho instalados en cada uno de sus rines, TERCERO: De la marca, tipo y serial de cada
uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.
CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los
rines del vehículo inspeccionado. QUINTO: Se tomen fotografías de la carrocería y las
condiciones en que se encuentra el vehículo inspeccionado. 

SEXTO. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, habilitado en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante elRegistro Mercantil que llevó el Juzgado Segundo de Primera Instancia e.l. Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Decreto Constitutivo Estatutario, por el presente documento declaro: Que confiero en mío nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiera, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares: de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los nombrados Apoderados para intentar, contestar demandas, darle por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien...
tuviere ante los Tribunales, funcionarios y Organismos competentes de la República, los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado, es entendido que las facultades aquí enunciadas son a título meramente enunciativo más no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. València, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PUBLICA SEXTA DE VALENCIA DEL MUNICIPIO DE VALENCIA.

PRESENTO al Notario Público presenté el presente documento, redactado por el Abogado: FRANCISCO GUTIERREZ DE AGUIRRE. Inscrito en el INPREABOGADO bajo el No 67193. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla No 38941 de fecha 18-10-2000. Presento(s) sus(s) otorgante(s) dijeron:

Nombre: JORGE ANTONIO GONZALEZ ALDARE (Actuando en su calidad de Presidente de "BRIDGESTONE FIRESTONE VENEZUELA, C.A.").

Mayor(es) de edad, domiciliado(a) en: VALENCIA.

De Nacionalidad(s): ESTATOUNITENSE.

De estado civil: 

Titular(es) de la(s) Cédula(s) de Identidad Número(s) E-21.657.491.

Llevado y confrontado el original con sus Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (LOS) OTORGANTE(S) expuso(ron) "SU CONTENIDO ES CIERE Y MA (NUESTRAS) LA (LOS) FIRMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escribientes: MILAGROS RUEDA Y MIGUEL BOADA. Titulares de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolo inscrito bajo el N° 91, TOMO 76, de los libros de AUTENTICACIONES llevados por esta Notaria. LA NOTARIA QUE SUSCRIBE HACE CONSTAR QUE TUVO PARA SU
VISTA Y DEvolución RegistRo de BRIgEStONE FIRESTONE VENeZUELANA, C.A., InscriTA por ANte el RegistRo Mercantil que llevó el juzgado de(PRimerA InS tácIA en lo Civil y MERCantil de esta Circunscripción Judicial, en fecha 22-12-96, bajo el nº 1, compiladas sus reformas en un solo cuarto según Nota de acta de asamblea general extraordinaria de accionistas, inscrita en el RegistRo Mercantil primero de esta Circunscripción Judicial, en fecha 9-01-97, bajo el nº 1, tomo 4-4, autorizado para este acto según el Mismo documento constitutivo. E igualmente deja constar que para este acto autorizó el poderante a la ciudadana María VICTORIA RODRÍGUEZ con cédula de identidad V-1.359, 108, escriturante de esta notaría para preseñar dicho otorgamiento conforme el artículo 29 del Reglamento de Notarias publicas en las oficinas de las notarias en Carretera Vieja via los grados en Valencia, a las 1:00 pm.

EL PODERANTE.

LOS TESTigos.

EL FUNCIONARIO AUTORIZADO.
Recibido hoy 23-04-2002 constancia de tres folios utiles y puesto a la orden de la ciudadanía.

La Secretaria

Juzgado del municipio nolino del estado de la circunscripción judicial del estado Adrian y municipio Arismendi del estado Barinas Mora Veintitres de abril del dos mil uno.
1930 y 1413

Por recibida la anterior solicitud incoada por la Abogado Araceli del valle Urdaneta, por cuanto la misma no es contraria ni a las buenas costumbres se la da entrada y curso de Ley. En consecuencia se acuerda el traslado y constitución del Tribunal al sitio que indique la solicitude habilitándose el tiempo que sea necesario. Cúmplase.

La Juez Prov.
Abog. Valma Uricoca de Arismendi

La Secretaría
con base en el día de hoy, viernes (22) de abril,
de donde uno piensa las 10:00 a.m., se confirma
la constancia de haberse reunido en el filo de la mañana
estableciendo Víctor, ubicado en la mar,
que directo de la Colocución Nacional que conducen
viendo Municipal - el fundamento del Estado, ante a los
actos de práctica la suspensión judicial presentado por la abogada lavanda, última
bogado n. 30.706, procediendo con el capitán de
fiscalía, abogado judicial de indigente Thomas
Venezuela (A según el pedido) que lleva -
se a la presente suspensión. El Tribunal
pasó la práctica de la presente suspensión.

Cuando Atoro por el fiscal realiza,
la práctica fotográfica y de aguas) para tal fin,
los ciudadanos David González, Venezuela,
mayor de edad titulares de la ciudad de Estado -
Ester n. 10.652 y Jorge Antonio Lomayac (es
muy mayor de edad, titulares de la ciudad),
de identidad n. 226.826, quienes estando por
sancionar la falta de comportarse el cargo y faltaron en el
momento de ley, se considerado lo que se instruyó de la
fiscalía al ciudadano Víctor Víctor, Venezuela mayor
de edad titulares de la E.T. n. 10.652. 337. - El Tri-
unal ordenó que afianzó constancia de los partes,
como también la orden de libro de las fotos
oficio. En este estado el fiscal realizó lo que
solicitó la visita al tribunal en Camara;
(Fotoccidente 620, clave MP y demás, según fotocopias
aguardan a la presente circunstancia)
El importe que corresponde a la fianza será devuelto.

El apuntador que haga las fiacchas deberá hacerlo conforme a las disposiciones de esta ley.

[Signature]

[Signature]

[Signature]

[Signature]
Guzmán del Museo, Ramón. Gálvez, de la C.ª,

Subposición judicial del Estado Opus y Madrid,

Pdo. Asegurados del Estado Balear. S.A.

San José, 2 de abril del año 2000.

15 y 1413

Firmadas como ha sido la práctica que antecede,

el Tribunal Ordinario se entregue al solicitante su

original.

Fdo. J. P. V. 

Secretario.

Firmas
SOLICITANTE (S): Arbolis Del Valle Vehafeito.

MOTIVO: Inspección Judicial

JUZGADO: Cuarto de Municipio

FECHA DE ENTRADA: Día 24 Mes 04 Año 2001

FECHA DEVOLUCIÓN: Día ________________ Mes ________________ Año ________________
Ciudadano
JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS CHAYOS
NAQUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO
CARABobo.
Su Despacho.-
Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada
en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada
en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto
en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la
Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado
bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública,
que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A.,
compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el
Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y
Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de
1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de
Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil
Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997,
bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocurro y espongo: De conformidad
con los artículos 192, 936 y 938 del Código de Proceimiento Civil y 1429 del Código
Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este
honorabile Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin
de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a
fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:
PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un
vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el
vehículo inspeccionado SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4)
caucho instalados en cada uno de sus rines TERCERO: De la marca, tipo y serial de cada
uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado
CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los
Quinto. Se tomen fotografías de la carrocería y en condiciones en que se encuentra el vehículo inspeccionado. Sexto. Se deje constancia en las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 et seq., se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evitada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]
Yo, JORGE ANTONIO GONZÁLEZ ALVAREZ, estadounidense, mayor de edad, hábil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad No. 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia a lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que estoy en nombre de mi representada, Poder especial pero amplio y bastante cuando en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituyéndolos en todo o en parte, reservándose o no su ejercicio y resumirlo en cualquier tiempo cuando a bien
|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |   |

Por BIVZ

Jorge González
REPUBLICA BOLIVARIANA DE VENEZUELA
PROVINCIA DE VALENCIA
PARROQUIA EL ROSARIO

PRUEBA DE IDENTIDAD

HECHOS:
El anterior documento, redactado por el Abogado FRANCISCO GARCIA DE LA COLOMBIA, fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla N° 26718, de fecha: 24/10/2000. Presente(s) sus(s) otorgante(s) dijeron:

Jorge Antonio Gonzalez Alvarez (acudiendo en su carácter de Presidente de "Bridgestone Firestone Venezolana, C.A.")

Mayor(es) de edad, domiciliado(s) en VALENCIA.

De Nacionalidad(s): EEUU.

De estado civil: casado.

Titular(es) de la(s) Cédula(s) de Identidad Número(s): E-81.687.497.

Leído y confrontado con sus Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (LOS) OTORGANTE(S) EXPUSO(ERAN) "SU CONTENIDO ES CEREO, Y MIS (NUESTROS) LA(S) FIRMAS QUE APARECEN (N) AL PIE DEL INSTRUMENTO ". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escuchantes: MILAGROS RUEDA Y MIGUEL BOADA.

Titulares de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolo inserto bajo el N° 41, TOMO 79, de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE RACE CONSTRAR QUE TUYO PARA SU
VISTO Y DEVULGADO REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INS-
CRITA ANTE EL REGISTRO MERCANTIL QUE LLEVO EL JUZGADO DE PRIMERA IN-
TANCIA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA
28-12-94; BAJÓ EL NÚMERO 1, COMPILADA SU RFORMA EN UN SOLO CUERPO SEGÚN
CONTRA DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA
EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FE-
CHA 29-12-94; BAJÓ EL NÚMERO 1, TOMO 3-A, AUTORIZADO PARA ESTE ACTO SEGÚN SE
EXCELENTE LA CLÁUSULA ONCEDENA EN SU PARTE "C" DEL DOCUMENTO CONSTITU-
TIVO ESTATUTARIO. E IGUALMENTE DEJA CONSTAR QUE PARA ESTE ACTO AUTORIZO
A LA CIUDADANA MARÍA VICTORIA RODRÍGUEZ CON CÉDULA DE IDENTIDAD 2-7,354,
161, EXCITENTE I DE ESTA NOTARIA PARA PRESENTAR DICHAS OTORGAMIENTO CON-
FORME EL ARTÍCULO 19 DEL REGIMIENTO DE NOTARÍAS PÚBLICAS EN LAS OFICINAS
DE BRIDGESTONE EN CARRETERA VIEJA VIA LOS GUAYOS EN VALENZIA, A LAS 2.30 PM.

EL PODERDANTE.

[Signature]

EL Funcionario AUTORIZADO.

[Signature]
JUZGADO CUARTO DE LAS MUNICIPALIDADES VALLECENTES Y MAYOS DE LA PROVINCIA DE LA RIOJA.


Se ha presentado la presente solicitud. Dúela atender en orden de mérito, en consecuencia previéndose la constitución del acto que se estipula en el Acta solicitada en la presente solicitud. Se notificó la impresión judicial solicitada.

EL SECRETARIO.

[Signature]

En la misma fecha se cumplió la orden y se le dio entrada bajo el No. 3762.
En horas del día de hoy, Veinticuatro de A.
abo del año dos ciento uno, siendo las cinco -
de la tarde (5:00 pm) previa instauración de
todo el tiempo necesario, se trasladó y consi-
tró el Tribunal en el Taller Dolphin Servicios A.
automóviles, ubicado en la Calle Navas Espinal-
era con Carrer de esta ciudad de Valencia.

Estado barbado, a los fines de practicar la
inspección judicial solicitada por la abstacada
obra del taller de la ciudad de Valencia, apreciada el día 20766,
la abastacada según instrumento poder que se
insertó a la presente solicitud de Bridgestone
Gomeros, A.A., antes dañinada, C.A.

Abastacada, una vez en el sitio se procedió a notificar a la misión del Tribunal al mía-
dado José Elías González Casariego, venezolano, ma-
yor de edad, titular de la cédula de identi-
dad No. 3.188.694, quien manifestó ser Gerente del
taller Dolphin Servicios Automóviles - El Tribunal
ordenó la continuidad para el acto, asegura-
miendo de la presente inspección designar un pro-
teso fotografía y un prerrecesario de la presente inspección dese-

En la cédula de identidad No. 386.596
David González Casariego, mayor de edad, titula de la cédula de identidad No. 3.1-
089.571, quienes estando presentes acusan el
cargo y juran cumplir bien, firmemente con -
los defectos inherentes a los mismos, quien en este acto, procede a la toma de los fotografías con una cámara que presenta para su vista marca Polaríod, 636 close up, dichas fotos serán entregadas a la presente inspección previa certificación, para que sean parte de la misma. Seguidamente el Tribunal debidamente aseado por el practico perito designado procede a realizar la inspección y díga constancia de lo siguiente: Primer: Se díga constancia que uso encontramos los líquidos en el taller Delphin servicio automotor anteriormente identificado en el cual se encuentra un vehículo Ford, modelo Explorer, tipo 4x2, color Rojo, placas OBA 582, 2 puertas. Segundo: El Tribunal díga constancia que el vehículo posee cuatro (4) cadenas instaladas en cada uno de sus rines. Tercero: El Tribunal díga constancia igualmente que el cuncho trasero derecho es marca Good-Year, tipo Wrangler RT/5, medidas LT 235/75 R15, serial DOT PBHL 2A84409; el cuncho trasero izquierdo es marca Good-Year, tipo Wrangler RT/5, medidas LT 235/75 R15, serial DOT PBHL 2A84409; el cuncho trasero derecho es marca Good-Year, tipo Wrangler RT/5, medidas LT 235/75 R15, serial DOT PBHL 2A84409 y el cuncho trasero izquierdo es marca Good-Year, tipo Wrangler RT/5, medidas LT 235/75 R15, serial DOT PBHL 2A84409. Cuarto: El Tribunal ordena la toma de fotografías a cada uno de los cadenas instalados en cada uno de los rines del vehículo lo inspeccionado, con la certificación identificada.
Firmar.- Ninos e inhabicados por ausentarse.

E. Cañillo H.

El Notificado se ausentó

El Prachic fotografió,

El Prachic fent,

La Solicitante,

Sec.

[Signature]

[Signature]

1/2/2010
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCION CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S): Arcelis Del Valle Ucayali N.

MOTIVO: Inspección Judicial

JUZGADO: Corte de Municipio

FECHA DE ENTRADA: Día 25, Mes 04, Año 2001

FECHA DEVOLUCION: Día 07, Mes 06, Año 2001

3765
Cuidado

JUEZ CUARTO LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARAJOBO

Se Declaro:

Yo, ARACELIN DEL VALLE YURDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° 0-704-174, abogada en ejercicio, inscrita en el INPREA (ADOGADO) bajo el N° 30796, procediento a este acto en mi carácter de apoderada, según se evidencia de instrumento poder notariado por ante la Notaría Pública Seis de Valencia, en fecha 25 de octubre del 2002, el cual gestó notario bajo el N° 41, Torno 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anota a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada CA FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que lleva el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1996, bajo el N° 1, cumpliendo sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 09 de enero de 1997, bajo el N° 2. Torno 8, ante notario respectivamente ocioso y expuesto. De conformidad con los artículos 102, 956 y 958 del Código de Procedimiento Civil y 1420 del Código Civil, para la urgencia del caso, solicito la habilitación del tiempo necesario de este Honorable Tribunal y, en consecuencia, se obtenga, en el tiempo que se requiera, el fin de que el tribunal se halle y constituya en la dirección en que oportunamente lo señale, a fin de dejar constancia por vía de Inspección Judicial, de las particularidades siguientes:

PRIMERO. De la presente, en el lugar donde se encuentra establecido el Tribunal, se encuentra ubicado un vehículo Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado (SEMNAS). Si el vehículo antes identificado, tiene cuatro (4) marcas instaladas en cada uno de sus rines. TERCERO. De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO. Se tienen fotografías de cada uno de los cauchos instalados en cada uno de los
Quinto. Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. Sexto. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debido momento. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 302 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueran realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo que solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.
ACUERDO

JORGE ANTONIO GONZALEZ ALVAREZ, estado, hombre, mayor de edad, habilitado en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintinueve (29) de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Décima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nom bre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, habilitados en derecho, titulares de las cédulas de identidad N°s. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los nombrados Apoderados para interesar, contestar demandas, dar por citados y notificados; oponer y contestar excepciones y revocatorias; desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y escusar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes; y en el caso de Casación, hacer posturas en remate y recibir adjudicaciones. Los poderes no podrán nombrar apoderados especiales para asuntos determinados cuando así lo consideren conveniente o lo requiera la Ley, sustituyéndolos en todo o en parte, cuando se considere conveniente, o no su ejercicio y resumirlo en cualquier tiempo cuando a bien de...
universos Tribunales, funcionarios y Organismos competentes de la República, de Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado. Se entiende que las facultades aquí enunciadas son a título meramente declarativo mas no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valencia, en la fecha de su autenticación.

Por DFVZ

Jorge A. González A.
RECUERDO.

BOLIVARIANA DE VENEZUELA.

NÚMERO PÚBLICO:
SIXTA DE VALENCIA DE MURCIA,

VALLE DEL LOBO,

20° Y 144º.

El anterior documento, redactado por el Abogado FRANCISCO GONZÁLEZ DE OLIVERA, inscrito en el INPREABOGADO bajo el Nro 65757, fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla N° 35791, de fecha: 24/10/2000. Presentó(s) sus(s) otorgante(s) firmaron(s) en este documento.

NOMINADO: JORGE ANTONIO GONZÁLEZ ALVAREZ (Actuando en su calidad de Presidente de "Bridgestone Firestone Venezolana, C.A.").


Mayores de edad, domiciliadas en VALENCIA.

De Nacionalidad: ESTADOUNIDENSE.

De estado civil: casado.

Título(s) de la (s) Cédula(s) de Identidad Número(s): 83.607.297.

Lecto y confrontado el original con sus Fotocopias y firmado en estos y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) respectivos (cuentan) "SU CONTENIDO ES CERTE", Y MIA (NUESTRAS) LA (S) FIRMA(S) QUE APARECE (N) AL PIE DEL INSTRUMENTO." LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos siguientes: MILAGROS RUEDA Y MIGUEL BOADA.

Títulos de las Cédulas de Identidad NÚmeros: 4.472.554 Y 4.584.501, dejándolo inscrito en el TOMO 72 de los libros de AUTENTICACIONES llevados por la Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVIÓ PARA SU
PISTA, EN DIVERGENT REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITA, POR EL REGISTRO MERCANTIL QUE LLEVÓ EL JUEZADO DE PRIMERA INSTANCIAS EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 11-11-96, BAJO EL Nº 1, CONTEMPLADA SU RESOLUCIÓN EN UN ÚNICO CUERPO SEGÚN LA CONVENCIÓN DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 19-01-97, BAJO EL Nº 5, TÍTULO 6-A, AUTORIZADO PARA ESTE ACTO SEGÚN EVIDENCIA EN LA CLÁUSULA DUODÉCIMA EN SU PARTE "C" DEL DOCUMENTO CONSTITUTIVO ESTATUTARIO, E IGUALMENTE DEBE CONSTAR QUE PARA ESTE ACTO AUTORIZÓ LA CIVILIZADA MARÍA VICTORIA RODRÍGUEZ CON CÉDULA DE IDENTIDAD N.º 7.944.

La notaria certifica y de esta notaria para presentar dicho otorgamiento conforme el artículo 79 del reglamento de notarías públicas en las oficinas de notario en carretera vieja vía los guayos en Valencia, a las 1:00 PM.

Los testigos:

EL PODERANTE.

[Signatures]
En el día de hoy, se ha reunido el Consejo de Ministros para tratar el proyecto de ley propuesto por el Ministerio de Educación. Se ha decidido que se continúe con la revisión de los contenidos del proyecto en el próximo consejo.

La próxima reunión está programada para el martes siguiente.

Firma:
[Signatura]
[Fecha]
[Nombre]
mente las obligaciones inherentes a la
materia, el Testigo de los Numerados (Te-
stigo) procedió inmediatamente a la
Tomada de las Fotografías para que una
vez las mismas estén en el escote musul
pasen a formar parte del proceso
Suspensión; las respectas Fotografías
fueron tomadas con una cámara Re-
ford instantaneous 6.36, close up. Ho-
To Segundo y tercero, Asociados en el
Uso del, Testigo Testimoniales designado,
procede a practicar la Inspección
Solución, y dejo constancia de los
seguidos particulares: Testimoni
Tercero, el Testigo deja constancia que el
Vehículo Móvil, Ford, Tipo:
4X4, Modelo Explorer, Placas G-B-244-
Año 2000, color Verde. Segundo,
Tercero, el Testigo deja constancia que el
Vehículo Inspeccionado tiene 4 llantas y 4
Nuevos Rines. Tercero, el Testigo
pronto advertirá del Tráfico, Testimoni
deja constancia que el Aro de delantero
del de Ford es marca Goodyear, TPO: 185,
R-14, 8, DOT PB Hk. 1 Taray 2500. El Ca
delho de delan
tero Izquierdo es marca Goodyear, TPO:
185, R-14, 8, DOT PB Hk. 1 Taray 2500. El Ca
delho
Un kilómetro de 57,232 kilómetros, estando el Tribunal de la Buena, constatado que el vehículo suspendido tiene un calado de neumático marca Goodyear, tipo Wrangler RT/S, medida LT 235/75 R15, sellados DOT PE, HL 2 AC 4, 2596. Es Todo, el Tribunal dio por concluida la presente inspección, siendo los únicos y testimonios de la tarde y regresó a su sede, terminando, firmó.

El Juez Revisor.
Dr. Raúl E. Gaviria H.

El Fisjado.
Se leyó a firmar.

El Fotógrafo.

El Testigo Público.

El Secretario.

El Señor Fiscal.

Hugo José Urra Serrano.
7.00139
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S) ÁRBOL. ARAUCARIAS DEL VALLE UPAKITA. N.

MOTIVO: DIRECCIÓN JUDICIAL.

AZUARO PRIMER DE LOS MUNICIPIOS GUACARA Y SAN JOACINTO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARACAS.


No. 2421
Ciudadano

JUZGADO PRIMERO DE LOS MUNICIPIOS MIRANDA Y SAN FRANCISCO DE LA
CIRCUNSCRIPCIÓN JUDICIAL DEL ESTATUS CARACAS.

Su Despacho.

Yo, ARACELIS DEL VALLE URGUETE N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREHABITADO bajo el N° 30.706, proveyendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, se remite a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó la Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1996, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea Extraordinaria de Accionistas, inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 20 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocupo y exposito. De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, junto la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvio, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO. De la presencia en el lugar donde se encuentra constatado el Tribunal, de un vehículo Marca Ford, Modelo Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos inslalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los
rines del vehículo inspeccionado: QUINTO. Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado. SEXTO. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 a) et. seq., se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueran realizadas en su presencia y que sus reproducciones fíes y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]

[Date]
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, hábil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia a lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el No. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiocho (28) de enero de 1997, bajo el No. 2, Tomo 8-A, autorizada para este acto según se evidencia en la Cláusula Diez undécima en su parte “C” del Decreto Constitutivo Estatutario, por el presente documento declavo: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad N°s 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de éste domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, contestar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose no su ejercicio y resumirlo en cualquier tiempo cuando a bien.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PUBLICA SEXTA DE VALENCIA DEL MUNICIPIO VALLE.

Dado en Caracas a ___ de ___ de ___.

FRANCISCO GOMEZ DE OLIVARES.

Inscrito en el INPREBOGADO bajo el No. 87557. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla No. 88798. de fecha: 24/10/2000. Presentó(s) su(s) otorgante(s) dije(eron)

Jorge Antonio Gonzalez Alvarez (Actuando en su calidad de Presidente de "Bridgestone Firestone Venezuela, C.A.").

Mejor(s) de edad, domiciliado(s) en VALENCIA.

De Nacionalidad(s): ESTADOUNIDENSE.

De estado civil: Casado.

Título(s) de la(s) Cédula (s) de Identidad Número(s): E-81.607.491.

Leído y confrontado el original con sus Fotocopiias y firmado en estas y en el presente instrumento por la(p) Notario, el (los) Otorgante(s) (s) expuesto(s) "SU CONTENIDO ES CERTO Y MIA (NUESTRAS) LA (S) FIRMA(SON) QUE APARECE(N) AL PIE DEL INSTRUMENTO". La Notario(s) en tal virtud, lo declara AUTENTICADO en presencia de los testigos escrito(s): Milagros Rueda y Miguel Roa.

Título(s) de las Cédulas de Identidad Número(s): V-4.872.554 y V-4.844.591, inserto(s) bajo el No. 41... TOMO 7... de los libros de AUTENTICACIONES llevados por esta Notario. La Notario que suscribe hace constar que tuvo para su
VISTA Y DEVOLUCIÓN REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITA POR ARTE DEL REGIS-TO MERCANTIL QUE LLEVO EL JUZGADO DE PRIMERA IN-STANCIA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FECHA 23 DE SEPTIEMBRE, BAJO EL N° 1, COMPILADAS LAS REFORMAS EN UN SOLO CUERPO SEGÚN CONCISO DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCION JUDICIAL, EN FECHA 29 DE OCTUBRE, BAJO EL N° 1, TONO 1-Y-A, AUTORIZADO PARA ESE ACTO SEGÚN SE CONOZCA EN LA CLÁUSULA INDICATIVA EN SU PARTE "C" DEL DOCUMENTO CONS-TITUTIVO ESTATUTARIO. DEBIDAMENTE DEJA CONSTAR QUE PARA ESE ACTO AUTORIZADO A LA CIUDADANA MARIA VICTORIA RODRIGUEZ CON CÉDULA DE IDENTIDAD N° 7-9825014, DECIDE OTORGARLE LA NOTA DE ASISTIR PARA PRESENTAR Dicho OTORGAMIENTO CON-FORME EL ARTÍCULO 19 DEL REGLAMENTO DE NOTARIAS PÚBLICAS EN LAS OFICINAS DE NOTARIO EN CARRETERA VIEJA VIA LOS GUAYÁS EN VALENZUELA, A LAS 10.00 PM.

Firmas:

[Signatures]

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JUZGADO PRIMERO DE LOS MUNICIPIOS GUAÇAÑA Y SAN JOAQUÍN DE LA
CIRCUNSCRIPCION JUDICIAL DEL ESTADO CARACAS.- GUAÇAÑA. 27 de
Abril de 2001.-

1912 y 1429

Visto la anterior solicitud. Dése entrada y hágase como se
pide. Apartándose el Tribunal al sitio que indique la parte actora
previa notificación del tiempo necesario por haber sido juzgado la
urgencia del caso y allí constituido, practíquese la inspección
judicial a que se refiere. En cuanto a la designación del Práctico
y Notario, se hará en el acto o levantarse el efecto, previos los
requisitos de ley. Despídase lo suscrito.-

EL JUZGADO."
el día de hoy, Velhдуnlo de Mayo del dos mil uno, siendo las Once de la mañana se trasladó el Tribunal a solicitud de la Abogada Arcelia del Valle Urdaneta N., previa habilitación del juez necesario, solicitada y acordada, al Estacionamiento Guacara, C.A, ubicada en la calle Las Delicias, Sector los Naranjos en Guacara, Estado Carabobo, con el fin de practicar la inspección Judicial solicitada y acordada. Se designó práctico Fotógrafo y práctico Mecánico, a los ciudadanos JORGE ANTONIO COLMENARES TELLECHEA y DAVID GONCALVES MALPICA, presentes allí, ambos venezolanos, mayores de edad, titulares de las Cédulas de Identidad N° V.- 285596 y V.-1108974, respectivamente, quienes impuestos a tales designaciones, manifestaron su Aceptación y están Juramento. Conformado el Tribunal en el referido sitio NOTIFICA a su misión al ciudadano MIGUEL FREITAS RAMOS, presente allí, mayor de edad, titular de la Cédula de Identidad N°5222838, quien manifestó ser Propietario del Estacionamiento donde se encuentra constituido el Tribunal Seguidamente y con Asesoramiento del Práctico Mecánico antes designado y Juramentado, procede a practicar la inspección Judicial dicha y su particular PRIMERO, se deja constancia que en el sitio donde se encuentra constituido el Tribunal está un (1) vehículo Marca: Ford; Modelo: Explorer; Tipo: XL; Color: Azul; Año: 1998 y placas: DAO-814; en cuanto al particular SEGUNDO, el Tribunal deja constancia que el Vehículo antes identificado, tiene cuatro (4) cauchos instalados, en cada uno de sus rines; en cuanto al particular TERCERO, el Tribunal deja constancia de: 1) Cañocho delantero derecho: Marca: GOOD- YEAR; Tipo: WRANGLER RT5; medidas: P255/70R15; Serial: DOT-MKDG9-GCHR-2000, 2) cañocho delantero izquierdo: Marca: GOOD- YEAR; Tipo: WRANGLER RT5; medidas: P235/70R15; Serial: DOT-MKDG9-GCHR-2000, 3) Cañocho trasero derecho: Marca: GOOD-YAER; Tipo: WRANGLER RT5; medidas: P265/70R16; Serial: DOT-MKDG9-GCHR-2000, 4) Cañocho trasero izquierdo: Marca: GOOD-YEAR; Tipo: WRANGLER RT5; medidas: P265/70R16; Serial: DOT-MKDG9-GCHR-2000, en cuanto al particular CUARTO y QUINTO, el Tribunal ordena el FOTÓGRAFO, tome fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado, al igual, de la carrocería y las condiciones en que se encuentra el mismo; en cuanto al particular SEXTO, se deja constancia que las condiciones generales en que se encuentra la carrocería del Vehículo
1567

inspeccionado son: descuidro generalizado, explosión de sus vitres y parabrisas, chasis torcido, techo y trompa abollados, laterales rayados, puertas y paras descubiertas. El Tribunal de la constancia que la solicitante hace uso del derecho de reserva y expone: "Solicito al Tribunal de constancia del Kilometraje que presenta el vehículo objeto de la presente inspección, se deje constancia del estado en que se encuentra el tren delantero y se hagan reproducciones fotográficas del tren delantero en cuestión." El Tribunal, visto el pedido anterior acuerdo en conformidad lo solicitado y previo asesoramiento del prácico mecánico, deje constancia de que el Kilometraje que presenta el vehículo inspeccionado es de sesenta y nueve mil setecientos diecinueve (69,719 Kms); asimismo, previo solicitud y suministro del servicio de grúa por parte del estacionamiento en el que se encuentra el vehículo inspeccionado, se deje constancia de que una pieza del tren delantero (frótila) se ve fuera del sitio que le corresponde. Igualmente el Tribunal ordena agregar las fotos tomadas del vehículo inspeccionado. Por otra parte, se deje constancia que la cámara fotográfica utilizada es marca Polaroid Instant Autotimer 636 Close-up. En este estado, el notificado, Miguel Freites Ramos, antes identificado, manifiesta que el vehículo objeto de esta inspección judicial, ingreso al estacionamiento del cual él es propietario, por volcado de vehículo de otro estacionamiento. Es todo. Se leyó y conformes firman. Regresando el Tribunal a su espejo principal.

EL JUEZ PROVINCIAL,

EL NOTIFICADO,

EL PRACTICO MECANICO,

EL PRACTICO FOTOGRAFO,

EL SOLICITANTE,

EL SECRETARIO.

Sel.2471.
fecha 21 de Mayo del 2001, se le da salida y se devuelve, habilitado el tiempo como fue, constante de Quince (15) folios útiles.

EL SECRETARIO.
Yo, MARY JEAN PAREDES MARBHALL, venezolana, mayor de edad, abogada en ejercicio, de este domicilio, titular de la cédula de identidad No. 11.206.947, e inscrita en el Inpreabogado bajo el No. 69.208, ante usted respetuosamente ocurro para exponer:

Para fines legales que me interesan, solicito del Tribunal a su cargo, sirva trasladarse al modulo de Tránsito Terrestre, ubicado en la Urbanización La Trinidad, Municipio Baruta del Estado Miranda, con el objeto de practicar una inspección judicial conforme a las formalidades previstas en los artículos 472 al 478 del Código de Procedimiento Civil, a fin de dejar constancia de los siguientes particulares:

PRIMERO: Si se encuentra en dicho modulo, producto de un robomiento ocurrido la noche del día Sábado 26 de mayo de 2001, una camioneta Marca: Ford, Modelo: Explorer; Color verde.

SEGUNDO: Del estado en que se encuentra el vehículo arriba descrito.

TERCERO: De la marca y modelo de los cauchos con que se encuentra equipada la camioneta en cuestión.

CUARTO: Del estado en que se encuentran los cauchos arriba descrito.
QUINTO. De cualquier otro particular de mi interés que surja en el momento de la práctica de la inspección judicial aquí solicitada.

Por último, pido al ciudadano Juez deje expresa constancia en el acta respectiva de todos los particulares antes mencionados, y se haga acompañar de un práctico fotográfico a fin de tomar fotografías de los particulares anteriormente descritos.

El Jueza,

Caracas, a la fecha de su presentación.
JUZGADO DÉCIMO DE MUNICIPIO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ÁREA METROPOLITANA DE CARACAS. Caracas, veintiocho (28) de Mayo de dos mil uno (2001)

191º y 141º

Por recibida y vista la anterior solicitud y jurada como ha sido la urgencia del caso por la parte interesada practíquese en la oportunidad que a bien tenga el Tribunal, habilitándose el tiempo necesario a los fines de resolver sobre la misma. En consecuencia, dése entradaándose en el libro respectivo y formense expediente. A tales fines se fijan las 11h 30min. del día 29/05/01 para el traslado y constitución del Tribunal en el lugar indicado en la solicitud.

EL JUEZ.

Dr. ADOLFO OLIVO ROMERO

LA SECRETARIA ACCIDENTAL,

AOR/VR/af. EXP. N°
El Tribunal en el Estacionamiento FRESCO VALLE C.A., afiliado al M.T.C.

Impulsó a su montón al ciudadano JUAN ALEJANDRO QUINTANA ESSA-

LANTE acudido con el no. 2010175 quien manifiesta ser el encargado de el pedido acordanente. Con este sentido el Tribunal designó como práctico fotógrafo al ciudadano JHO-

NATHAN LIENDO ABAD acudido con el no. 6271806 quien aceptó el cargo y, quien cumplidos pertinentes ordena-

do del tomar las gráficas necesa-

rias para que formen parte integrante de la impresión judicial final, se le ponía de inmediato a la cuidad

los particulares contenidos en la mis-

ma. 

PRIMERO: el Tribunal deja consta-

cias que en el lugar donde se en-

contraba consta visto que se encuentra en el lugar donde se encuentra consta visto que se encuentra un ramo de familia cordialmente, el cual es del no. 250, color

rojo, que según informes primarios, traspasos por el notificado llegar a él por

segundo, el Tribunal de la constancia que a simple vista ha

fue visto en un cajo del orga-

no jurisdiccional lo

mencionado.
Derechos quebrados; capo golpeado (hundido);
Guadafuego delantero derecho golpeado; punti-
alla roja; feroz delantero derecho roto; pique-
que chicana del lado derecho; techo lado
derecho golpeado; puerta derecha delan-
tera golpeada; cuello delantero izquierdo especktado.
Guadafuego trasero izquierdo golpeado; frente
Guadafuego trasero y delantero golpeados; vidrio
herradura lateral izquierda roto; techo del lado
derecho (del aparato) golpeado con hundimiento
pronunciado; el estilbó del lado izquierdo
golpeado con desprendimiento; bisibio
entre ambos lados roto; Adelanas de
presentar ilimitados reportes; TERCERO: el
Tribunal deja constancia que los observa
ver que la cavoneta al momento de
la tragedia estaba equipada por un
chasis modelo WRANGLER R/T 5 marca
Good Year. Asimismo, deja constancia
que los dos capos del lado izquier-
do explotaron; CUARTO: el Tribunal deja
constancia que el presente particular fue
desdoblado en el cuarto TERCERO; QUINTO:
El Tribunal deja constancia que se hi-
vio uno del presente particular al orden
la tragedia a solicitud de la Dra Maryam
Parades MARSHALL del Hospital de trauma femenino
de la hondada al estacionamiento Fresco y les
CA. donde se encuentra acreditado. En este
El Juez:
Dr. Adolfo Oliver Rojas

El Notificante se abstiene de firmar

La Solicitante,

La Secretaria
En tiempo de despacho del día de hoy (19) a las siete de la mañana, comparece el Señor Eugenio A. Juárez en su carácter de fotógrafo y entrega en ajuiz momento fotográfías allí tomadas a la impresión judicial expedida por el no 01-0108. —

La Secretaría.

El Prefecto fotógrafo.

[Signature]
Republica Bolivariana de Venezuela

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES

ARCHIVO

SOLICITANTE(S):
NELSON ROJAS VILLEGAS

INSPECCION JUDICIAL

JUZGADO
PRIMERO DE LOS MUNICIPIOS VALERA, METATAN, SA. RAFAEL DE CAVAGAL
Y ESCUDE DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO TRUJILLO.

Fecha de Entrada: Día 24 Junio 2001 Año 73-739

Fecha Devolución: Día _________________________ Mes ___________ Año _____________________

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73-739 2001 - 51
CIUDADANO
JUEZ DE LOS MUNICIPIOS VALERA, MOTATAN Y SAN RAFAEL DE CARVAJAL DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO TRUJILLO.
SU DESPACHO.

Yo, NELSON ROJAS VILLEGAS, venezolano, mayor de edad, Abogado en Ejercicio, titular de la Cédula de Identidad No. 9.170.881, inscrito en INPREGOCADO bajo el No. 31.431, domiciliado en la Ciudad de Maracay, Estado Aragua, y aquí de tránsito por esta ciudad de Valera, Estado Trujillo, actuando en este acto en mi propio nombre y representación y en mi carácter de propietario del vehículo Ford, Explorer, placas TAA-840, ante usted con el debido respeto ocurrido a fin de exponer y como mejor proceda en derecho, digo:

Solicito muy respetuosamente a este digno Tribunal, que de conformidad con lo previsto en los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1425 del Código Civil, se trate y consiga en la dirección que en su debido oportunidad le señalaré, a fin de dejar constancia por la vía de INSPECCION JUDICIAL, de los particulares siguientes:

PRIMERO:
De la presencia, en el lugar donde se encuentra constituido el Tribunal, de un Vehículo Marca FORD. Modelo EXPLORER. Tipo SPORT WAGON, Color ROJO VINO. Año 1998. Placas Nos. TAA-840, que presenta el vehículo inspeccionado.

SEGUNDO:
Dejar constancia si el vehículo antes identificado, tiene cuatro (04) cauchos instalados en cada uno de los rines del vehículo inspeccionado.

TERCERO:
Dejar constancia de la Marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los Rines del vehículo inspeccionado.

CUARTO:
Se tomé fotografías de cada uno de los cauchos instalados, en cada uno de los rines del vehículo inspeccionado.
QUINTO:
Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEXTO:
Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado.

SÉPTIMO:
Me reservo el derecho de señalar cualquier otro hecho o circunstancia que surja al momento de la práctica de la presente inspección.

Solícito de conformidad con lo previsto en los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ajuarem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reservo señalar en la oportunidad de la práctica de la Inspección Judicial y que a tal efecto se designe un práctico fotógrafo y un práctico mecánico.

Igualmente solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta INSPECCION JUDICIAL.

Por último pido ciudadano Juez, que una vez evacuada la presente solicitud me sea devuelta el original con sus resultados.

Es gracia que impreso en Valera a la fecha de su presentación.
GADO PRIMERO DE LOS MUNICIPIOS VALERA, MOTATAN, SAN RAFAEL DE CARVAJAL Y ESCUQUE DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO TRUJILLO.- VALERA, CUATRO DE JUNIO DEL DOS MIL UNO.-

Dado el día de hoy, en el Juzgado de Primera Instancia de los Municipios Valera, Motatán, San Rafael de Carvajal y Escuque, de la Circunscripción Judicial del Estado Trujillo, el día cuatro de junio del dos mil uno.

Por recibida la solicitud que antecede, désele entrada y cumóplexo. En consecuencia, trasládese y constituyase el Tribunal en el sitio señalado y ezcute la inspección judicial solicitada.

El Juez Provisorio.

Hoag. Tulio Villegas Barriga.

El Secretario.

Douglas Capurro H.

En la misma fecha se le dio entrada bajo el N° 312, en el libro de entrada respectivo.

TVR/DCM/Evelin.
horas de despacho del día de hoy, Cuatro de Junio del Dos Mil uno, siendo los cinco de la tarde, se trasladó, y constituyó el Juzgado Primero de los Municipios Valera, Mutatán, San Rafael de Carvajal y Escuque de la Circunscripción Judicial del Estado Trujillo, en el Taller Ideal, ubicado en la Calle Principal del Sector denominado Cubita, Cubita, Municipio San Rafael de Carvajal, Estado Trujillo; con el fin de efectuar la Inspección Judicial a que se refiere la solicitud que antecede.- Se notifica de la misión al ciudadano WILLIAM BASTIDAS, titular de la Cédula de Identidad N° V-4.322.620, quien dice ser el Propietario del Taller.- Esta presenta en el acto el Agorado, ciudadano NELSON ROJAS VILLEGAS, titular de la Cédula de Identidad N° 9.170.981 inscrito en el Inpremogádo bajo el N° 31.431, quien es el Solicitante y promovente de la Inspección Judicial.---- Seguidamente El Solicitante, solicita al ciudadano Juez procedera a efectuar la Inspección Judicial y el Tribunal, AL PARTICULAR PRIMERO deja constancia que en el sitio donde se encuentra constituido se encuentra estacionado un vehículo con las siguientes características: MARCA: FORO; MODELO: EXPLORER; TIPO: SPORT WAGON; COLOR: ROJO VINO; AÑO: 1998; PLACAS: TAA-840; SERIAL DE CARROCERÍA: AJU2240361177; SERIAL DEL MOTOR: 4 CILINDROS.----- AL PARTICULAR SEGUNDO: Acto seguido el Tribunal deja constancia que el vehículo objeto de la presente Inspección Judicial presenta cuatro cauchos instalados en cada una de los rines.----- AL PARTICULAR TERCERO: En este estado El Solicitante solicita el derecho de palabra y concedido como lo fue expuso Solicita al Tribunal proceda a designar un Práctico Mecánico para el desarrollo de los Particulares que se ansean el Práctico Mecánico, recayendo dicha designación en la persona del ciudadano DAVID SONDALVES MALPICA, titular de la Cédula de Identidad N° V-11.098.974.- En este estado el Tribunal acuerda de conformidad con lo solicitado y designa Práctico Mecánico al ciudadano DAVID SONDALVES MALPICA, ya identificado, quien estando presente se le toma el juramento de Ley, y expuso Juro cumplir con las
obligaciones inherentes al cargo.------- Acto seguido el Tribunal deja constancia que el Práctico Mecánico designado procede a informar al Juzgado que la Marca, Tipo y Serial de las cauchas, están identificadas de la siguiente manera:

CAUCHO DELANTERO DERECHO: Marca: GOOD YEAR; Tipo: WRANGLER RT/S; Medidas: LT 235/75R15; Serial: DOT PBHL 2424 2400

CAUCHO DELANTERO IZQUIERDO: Marca: GOOD YEAR; Tipo: WRANGLER RT/S; Medidas: LT 235/75R15; Serial: DOT PBHL 2424 2400

CAUCHO TRASERO DERECHO: Marca: GOOD YEAR; Tipo: WRANGLER RT/S; Medidas: LT 235/75R15; Serial: DOT PBHL 2424 2400

CAUCHO TRASERO IZQUIERDO: Marca: GOOD YEAR; Tipo: WRANGLER RT/S; Medidas: LT 235/75R15; Serial: DOT PBHL 2424 2400

AL PARTICULAR CUARTO: En este estado El Solicitante solicitó el derecho de palabra y concedido como le fue expuesto Solicito al Tribunal proceda a designar un Práctico Fotógrafo para el desarrollo de los Particulares que se aneinte tomar fotografías, pudiendo recabar dicha designación en la persona del ciudadano JORGE ANTONIO COLMENARES, titular de la Cédula de Identidad No V-386.596.— En este estado el Tribunal acuerda, de conformidad con lo solicitado y designa Práctico Fotógrafo al ciudadano JORGE ANTONIO COLMENARES, ya identificado, quien estando presente se le toma el juramento de ley, y expuso jurando cumplir con las obligaciones inherentes al cargo.------- Acto seguido el Práctico Fotógrafo procedió a tomar los fotogramas de los cauchas instalados en cada uno de los rines del vehículo objeto de la presente Inspección Judicial, las cuales fueron tomados con una Cámara Fotográfica Instantánea Marca: POLAROID; Closeup 636, las cuales fueron agregadas a la presente solicitud.------- AL PARTICULAR QUINTO: el Tribunal deja constancia que el Práctico Fotógrafo procedió a tomar las fotografías a la Carrocería del vehículo objeto de la presente Inspección Judicial, las cuales se encuentran la Carrocería del vehículo objeto de la presente Inspección Judicial, las cuales son las siguientes:

1.- Descuadre generalizas; 2.- Explosión de Parabrisas; 3.- Mudamiento pronunciado de techo y capó; 4.- Descuadre de puertas y parabrisas; 5.- Abolladuras y rasurones generales.------- AL PARTICULAR SEXTO: En
este estado el Práctico Mecánico designado solicita el derecho de palabra y concedido como lo fue Exausor Solicito que el Tribunal de la constancia del kilometraje que se observa en el vehículo para el momento de la Inspección Judicial y de la Marca, Tipo, Medida y Serial del caucho de neumático. Acto seguido el Tribunal acuerda de conformidad con la solicitud, y deja constancia que el Práctico Mecánico informa que el kilometraje que presenta el vehículo para el momento de la Inspección Judicial es de 78,893 Kilómetros y la Marca, Tipo, Medida y Serial del caucho de neumático es Marca: GOOD YEAR; Tipo: WRANGLER RT/S; Medidas: LT 225/75R15; Serial: DOT PBHL 2AEC 2400. Siguiendo a El Solicitante, solicito el derecho de palabra y concedido como lo fue Exausor Solicito al Tribunal se me expida copias fotostáticas debidamente certificadas de la presente solicitud con todas sus actuaciones y anexos.- El Tribunal acuerda de conformidad con lo solicitado y ordena expedir las copias fotostáticas certificadas de toda la solicitud junto con los recaudos anexos. Para la realización de las copias certificadas se autoriza a la ciudadana LEUNIS EVELIN DEL VILLAR, Funcionaria de este Tribunal.--------- No teniendo otras diligencias que cumplir se ordena el regreso del Tribunal a su sede natural.--------- En todo Termino, se leyó y conforme se firma, siendo las Seis de la Tarde.-

El Juez Provisional,

[Signature]

Abog. Tulio Ramón Villegas Barrionuevo

[Signature]

El Solicitante.

[Signature]
El Práctico: Mr. Bueno

El Secretario: D.

Douglas Carmíno:

TNRW/DCH/Evelin.
SOLICITANTE (S): 

MOTIVO: Inspección Aduanal

FECHA DE ENTRADA: Día 30, Mes Mayo Año 2003

FECHA DEVOLUCIÓN: Día 30, Mes Mayo Año 2003
Citadano
Juez Primero del Municipio Carrubana de la Circunscripción Judicial
del Estado Falcón
Su Despacho

Yo, MARÍA JOSEFINA OLIVARES LUGO, venezolana, mayor de edad, domiciliada en esta ciudad de Punto Fijo, Municipio Autónomo Carrubana del Estado Falcón, Abogada en ejercicio, titular de la Cédula de Identidad No 9.583.475 e inscrita ante el Instituto de Previsión Social del Abogado bajo el No 34.778, presentando en este acto en mi propio nombre, ante usted de conformidad con lo pactado en el Artículo 1429 del Código Civil, en concordancia con lo establecido en el Libro Segundo, Sección 4ª, Capítulo VII, último aparte del Artículo 472 del Código de Procedimiento Civil, con todo respeto puedo para solicitar el traslado y constitución del Tribunal en el Estacionamiento Santa Ana, ubicado en la Autopista Coro-Punto Fijo del Estado Falcón; para que por vía de Inspección Ocular se sirva dejar constancia de las personas, objetos, cosas, lugares, bienes y documentos a que se refieren los siguientes particulares:

PRIMERO: Que en el lugar en donde está constituido el Tribunal, se encuentra un vehículo estacionado Marca: Ford, Modelo: Explorer, Color: Verde, Placas: LAF 881. De igual forma de dejar constancia del serial del motor, carrocería, y cualesquiera otros datos que permitan una mayor identificación del vehículo objeto de la Inspección.

SEGUNDO: Que el vehículo antes identificado tiene instalados los cauchos en cada uno de sus rines.

TERCERO: De las condiciones generales de los cauchos colocados en cada uno de los rines del vehículo inspeccionado y de su banda de rodamiento.

CUARTO: Igualmente, me reservo el derecho de dejar constancia de cualquier otro hecho o circunstancia que, como solicitante, considere conveniente o necesario al momento de la práctica de esta solicitud.

Asimismo, de conformidad con los Artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el Artículo 502 lex dum, se ordena la reproducción fotográfica del vehículo, cauchos, rines, bandas de rodamiento y demás objetos y cosas que expresamente me reservo señalar, al momento mismo de la práctica de esta inspección Ocular. Para los fines anteriormente indicados, pido al Tribunal se sirva designar un práctico...
fotógrafo y un práctico mecánico para que le asistan al momento de la evacuación de la presente Inspección.

 Solicito expresamente a este Tribunal se sirva dejar expresa constancia de que las fotografías tomadas al momento de la práctica de la Inspección fueron realizadas en su presencia, y que por lo tanto, sean consideradas como reproducciones fíeles y exactas de los hechos presenciados, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Ocular con la finalidad de que formen parte integrante e inseparable de la misma.

 Finalmente, a los fines de la evacuación de la Inspección Ocular aquí solicitada, juro la urgencia del caso, y a tal efecto pido al Tribunal se sirva habilitar todo el tiempo que fuera necesario para la admisión y evacuación de la solicitud contenida en este documento. De igual forma, solicito de la ciudadana honorary se sirva devolverme en original la presente Inspección con sus resultados, una vez que haya sido evacuada.

 Es justicia. En Punto Fijo, a la fecha de su presentación.
Muere ingeniero y su acompañante en vuelco de camioneta en Caseto

Arrollado un ciudadano
REPUBLICA BOLIVARIANA DE VENEZUELA

PODER JUDICIAL
JURISDICCCION CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTES: __________________________________________

MOTIVO: _______________________________________________

JUGADO: _______________________________________________

FECHA DE ENTRADA: Día _______ Mes _____ Año ______

FECHA DE DEVOLUCION: Día _______ Mes ______ Año ______
Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el Nº 30.706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaria Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el Nº 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el Nº 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el Nº 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo. De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalare, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

**PRIMERO.** De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado. **SEGUNDO.** Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. **TERCERO.** De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. **CUARTO.** Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los
Yo, JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, habilitado en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta Acta de Asamblea General Extraordinaria de Accionistas inscrita ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizada para este acto según se evidencia en la Cláusula Duodécima en su parte "C" del Decreto Constitutivo Estatutario, por el presente documento declavo: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, soñeros, habilitados en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjuntamente o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intervenir, contestar demandas, dar se por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Cazación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituyéndolos en todo o en parte, reservándose o no su ejercicio y resumirlo en cualquier tiempo cuando a bien
REPÚBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA DEL MUNICIPIO DE VALENCIA.

FIRMADA EN VALENCIA el 1 de noviembre de 2000.

FRANCISCO GINART DE GÓMEZ.

presentado en el INPREABOGADO bajo el No 6390.

Fue presentado para su AUTENTICACIÓN Y DEVOLUCIÓN, según planilla No 6389, de fecha 19 de octubre de 2000. Presentante(s) sus(í) otorgante(s) dijo(eron)

JORGHE ANTONIO GONZALEZ ALVAREZ (Actuando en su carácter de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.").

Mayor (es) de edad, domiciliado en VALENCIA.

De Nacionalidad (es): ESTADOUNICENSE.

De estado civil: Casado.

Título (es) de la (s) Cédula (s) de Identidad Número (s) E-81.607.497.

Leído y confrontado el original con sus Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE (S) expuso (eron) "SU CONTENIDO ES CIERTO, Y MIA (NUESTRAS) LA (S) FIRMA(S) QUE APEARCE (N) AL PIE DEL INSTRUMENTO ". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escribientes: MILAGROS RUEDA Y MIGUEL BOADA.

Título(s) de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolos inserto bajo el No 41. TOMO 79. de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVO PARA SU
REPUBLICA BOLIVARIANA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES

ARCHIVO

SOLICITANTES: APARICIO E. HUANCA

MOTIVO: INSTRUCIÓN JUDICIAL

JUZGADO: JUDICIAL CUYAVE DE N.P.C.

FECHA DE ENTRADA: Día 11 Mes 09 Año 2001

FECHA DEVOLUCIÓN: Día _______ Mes ______ Año _______
Ciudadano
Su Despacho.-

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7 082 174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30 766, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaria Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó acreditado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 20 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocupo y expombo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente se señale, a fin de dejar constancia por via de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los
rines del vehículo inspeccionado.-QUINTO.-Se toman fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.-SEXTO.-Se deja constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 a juicio, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico.

Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]

[Date]

[Place]

[Seal]
Yo, JORGE ANTONIO GONZÁLEZ ALVAREZ, estadounidense, mayor de edad, hábil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad Nº 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A.
Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juizado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el Nro. 1, cumplidas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiocho (28) de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte “C” del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL
COLMENARES y ARACELIS URDANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los prenombrados Apoderados para intentar, conteslar demandas, darse por citados y notificados; oponer y contestar excepciones y reconvenencias, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirla en cualquier tiempo cuando a bien
tuviendo ante los Tribunales, funcionarios y Organismos competentes de la República, 
los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o 
privado. En junta de que las facultades aquí enunciadas son a título meramente 
administrativo-misivo taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo 
efecto. Valparaíso, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
REPUBLICA BOLIVARIANA DE VENEZUELA.

NOTARIA PÚBLICA SEXTA DE VALENCIA.

JUAN F. DE JACOMBO.

Firmó el anterior documento, redactado por el Abogado,
FRANCISCO GIMART.

Inscrito en el INPREABOGADO bajo el No 47555.

Fue presentado para su AUTENTICACION Y DEVOLUCION, según pliega N° 52741.

De fecha: 26/10/1999. Presenta(s) sus(s) otorgante(s) don(a) con

Nombre(s): JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en sus caractares
de Presidente de "STRATEGIC FIRESTONE VENEZOLANA, C.A.").


Mayor(es) de edad, domiciliado(a) en: VALENCIA.

De Nacionalidad(s): ESTADOUNIDENSE.

De estado civil: Espirado.

Título(s) de la (s) Cédula(s) de Identidad Número(s) E-81.687.491.

Leído y confrontado el original con sus Fotocopias y firmado en estas y en el presente
original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuse (ron) "SU
CONTENIDO ES CIERTO, Y MIA (NUESTRAS) LA (S) FIRM(A) QUE APARECE (N)
AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO
en presencia de los testigos escritos: MILAGROS RUEDA Y MIGUEL BOADA.

Títulares de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejandoelo
inserto bajo el N° 41. TOMO 75, de los libros de AUTENTICACIONES
 llevados por esta Notaria. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE TUVO PARA SU
VISTA Y REGISTRO REGISTRO DE BRIDGESTONE FIRESTONE VENEZUELA, C.A., INSCRITA POR ANTE EL REGISTRO MERCANTIL QUE LLEVA EL JUICIO DE PRIMERA INSTANCIA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN SOLO EL NÚMERO 1, COMPLEJAS SUS REFORMAS EN UN SOLO CUERPO SÓLO DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 25-01-97, BAJO EL NÚMERO 8-6, AUTORIZADO PARA ESTE ACTO SEGÚN LA CONVOCATORIA DE CONVOCATORIA EN SU PARTE "C" DEL DOCUMENTO CONSTITUCIONAL. E IGUALMENTE DEJA constar que PARA ESTE ACTO AUTORIZADO A LA CIUDADANA MARIA VICTORIA RODRIGUEZ CON Cédula de Identidad No-1, 018, 123, ESCRITURISTA DE ESTA NOTARIA SOBRE PRESENCIAS OTORGANDO COMO DEJAR EL ARTÍCULO 49 DEL REGABLAMENTO DE NOTARIAS PÚBLICAS EN LAS OFICINAS DE BRIDGESTONE DE CARRETERA VIEJA VIA LOS CUAYOS EN VALENCIA, A LAS 8:30 P. M.
SOLICITANTE (S):  ABOG. JUANETTA M. ABAGELIS DEL VALLE APODERADA JUDICIAL DE:
BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

MOTIVO:  INSPECCION JUDICIAL

JUZGADO:  SEGUNDO DEL MUNICIPIO CARIBENERA DEL ESTADO FALCON, CON SEDE EN PUNTO
FIZO

FECHA DE ENTRADA:  Día 13  Mes 06  Año 2001

FECHA DEVOLUCION:  Día 13  Mes 06  Año 2001

C-22
Mueren dos personas en vuelco de camioneta

Un nuevo accidente de tránsito registrado ayer en la madrugada, en la redoma de El Taparo, enlutase dos hogares fasonianos al volcar una camioneta Blazer, al parecer por fallos mecánicos. La primera víctima fue identificada como José Luis Dó Barro Vílasc (32) quien se desempeñaba como gerente de la empresa Detroit Parts y una distribuidora de confitería. La otra persona fallecida fue Javier Eduardo Sierralta Galicia (27) tenía cuatro meses trabajando asistente de Dos Barros. Los cuerpos sin vida fueron llevados en una grúa a la Morgue del Hospital doctor Rafael Calles Sierra, pasadas unas dos horas, por conocer las autoridades de una furgoneta para este tipo de casos.
Muertos un comerciante y su ayudante en vuelco de camioneta

Uno de los víctimas de esta fatal accidente fue José Luis Díaz Barriga Vélez, de 55 años de edad, residente de la ciudad de Valencia, estado Carabobo, y cuya residencia es un apartamento de la colonia San José, en el estado Carabobo. El otro fue su asistente, Daniel Barrera, de 40 años de edad, también residente de la misma colonia.

El vehículo en el que viajaban estos hombres era una camioneta Ford Explorer, color verde metálico, placas 1.AB 151, conducida por Díaz Barriga, mientras que el acompañante de este último era Daniel Barrera. Los dos hombres fallecieron en el accidente, que se produjo en la avenida Este de la ciudad de Valencia.

En la Vega del Tuy en el municipio Unín

Asesinado comerciante de cuatro balazos

Sujeto hirió a dos mujeres con el pico de una botella

Joven es golpeado salvajemente para ser atracado

Una joven fue agredida por un sujeto que le golpeó salvajemente con el pico de una botella. El sujeto hirió a dos mujeres que se encontraban en el mismo lugar. La joven es miembro de la familia de una de las víctimas del accidente.
Su Despacho

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad N° V-7.082.174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 30.706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el N° 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaria Pública, que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1, compilada sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primer en la Circunscripción Judicial del Estado Carabobo, en fecha 29 de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituyan en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. QUINTO: Se tomen fotografías de la carrocería y las
condiciones en que se encuentra el vehículo inspeccionado. **SEXTO**: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 473 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 a) al d), se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueren realizadas en su presencia y que sean reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me se devuelva el original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

Firma
Yo, JORGE ANTONIO GONZÁLEZ ALVAREZ, estadounidense, mayor de edad, hábil en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad N° 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone-Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia 31 Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nro. 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Duodécima en su parte "C" del Documento Constitutivo Estatutario, por el presente documento declaro: Que confiero en nombre de mi representada, Poder especial pero amplio y bastante cuanto en derecho se requiere, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URBANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titulares de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Abogado bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjunta o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, quedan facultados los prenombrados Apoderados para intentar, contestar demandas, dar por citados y notificados; oponer y contestar excepciones y reconvenciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de derecho, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y reasumirlo en cualquier tiempo cuando a bien...
tuviere en sus Tribunales, funcionarios y Organismos competentes de la República, los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o privado. Es entendido que las facultades aquí enunciadas son a título meramente estricto, sin que sea taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo efecto. Valencia, en la fecha de su autenticación.

Por BFVZ

JORGE A. GONZÁLEZ A.
REPUBLICA BOLIVARANA DE VENEZUELA.

NOTARIA PUBLICA SEXTA DE VALENCIA DEL MUNICIPIO VALENCIA.}

Firmante: RAFAEL O'HARA.

Inscrito en el INPREABOGADO bajo el No. 67353. Fue presentado para su AUTENTICACION Y DEVOLUCION, según planilla No. 36704, de fechas 24/10/2000. Presenta(s) sus otorgante(s) dixo(eron)

Nombre(s): JORGE ANTONIO GONZALEZ ALVAREZ (Actuando en su caracter de Presidente de "BRIDGESTONE FIRESTONE VENEZOLANA, C.A.").

Mayor(es) de edad, domiciliado(s) en: VALENCIA.

De Nacionalidad (es): ESTATUNIDENSE.

De estado civil:

Titular(es) de la (s) Cédula (s) de Identidad Número (s) E-81,567,491.

Leído y confrontado el original con sus Fotocopias y firmado en estas y en el presente original en presencia de LA NOTARIO, EL (los) OTORGANTE(S) expuso (eran) "SU CONTENIDO ES CIERTO, Y MIA (MUESTRAS) LA (S) FIRMA(S) QUE APARECE(N) AL PIE DEL INSTRUMENTO". LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escribientes: MILAGROS RUEDA Y MIGUEL BOADA.

Titulares de las Cédulas de Identidad Número(s) V-872,554 Y V-684,501, dejándolo inserto bajo el No. 41, TOMO 72, de los libros de AUTENTICACIONES llevados por esta Notaria. LA NOTARIO QUE SUSCRIJE HACE CONSTAR QUE TUNO PARA SU
Vista la anterior solicitud presentada por la Abogada: ARACELIS DEL VALLE URBANETA N., en su carácter de Apoderada Judicial de la Empresa: BRIDGESTONE F车内0E N0TIAVENEZOLANA C.A., y por cuanto la misma no es contraria a derecho ni a ninguna expresa disposición de la Ley y jurada como ha sido la urgencia del caso se habilitó todo el tiempo necesario. En consecuencia este Tribunal acuerda trasladarse y constituirse en la dirección que la parte solicitante señala en el momento de llevar a la práctica la misma y realizar la INSPECCIÓN GUISAL solicitada para dejar constancia de los particulares a que se contrae la misma. Anótense en el libro Diario de Labores y en el libro de Solicitudes y asignele número. Dejese constancia en el libro Diario de Labores que se lleva en este Tribunal.
En el día de hoy, tres (3) de Febrero, en el año 1648, siendo el año del rey nuestro Señor D. Felipe y con el concurso del Alcalde Mayor, de la Ciudad de Sevilla, siendo el año del rey nuestro Señor D. Felipe, en el Palacio de Justicia, se dictó una orden con fecha 10 de Febrero del mismo año, en la que se determinó la continuación del proceso en el caso de la herencia de los hermanos Carreras, y se estableció que los mismos debían ser notificados de la sentencia. Fue el testimonio de Albacar y su hermano Sanfrancisco. Se ordenó que las tierras fueran entregadas por la Heredia de los hermanos Carreras, en el Palacio de Justicia, donde funcionaba el Consejo de Justicia Provincial, al aforo de los nietos de los hermanos Carreras, hasta que se estableciera la sentencia. Se dispuso que los hermanos Carreras pagaran las tasas de notificación y que se estableciera una vez en el Palacio de Justicia la fecha y los términos de la ejecución del Tribunal de Ciudadanos. Hernán Albacar, quien se identificó como uno de los hermanos Carreras, debió estar presente en el Palacio de Justicia para firmar las actas. Se estableció que los hermanos Carreras pagarían las tasas de notificación y se establecieran los términos y condiciones de ejecución. Los hermanos Carreras, Tomás de Carreras, Pedro y David Carreras, debieron pagar las tasas de notificación y se establecieron los términos y condiciones de ejecución. En el caso de la identidad de los hermanos, fueron identificados con números: 126, 574, 11, 089, 570, respectivamente, según se estableció.
detrás de la, esperando a todos que estaban, frente de todo su marcha. En este

el sobre los, expuse, juzgando y a, derecho de resolver, hasta el Tribunal

le asignan del Tribunal que, porque el vehículo, especificando, hice como de

se encuentra del estado en que se dio, en el Tercero Receptor de dichos vehículos.

En este estado el Tribunal de constancia que el Tribunal que, porque el

vehículo, especificando, es de $77,259-

los vehículos. En este estado el Tribunal de, cargo del Presbitero, mismo, se mantuvo, al Presbítero, recorriendo con el estado, en que se encontró el Tercer)

ro de dicho vehículo, especificando, en cuál estaba presente, el fue.

En el tema determinado, el hombre superior, derecho, está

otro aparcado y el Departamento derecho
determinado, este fue de su sitio. En este estado determinado, el Tribunal de constancia que efectúa

de el Tribunal que, constancia que efectúa

el Terceero, observó a exceso de 11-284351-

En este estado el Tribunal de constancia que, la

por tiempo, el Tribunal de, 11-284351-

por tiempo, el Tribunal de, 11-284351-
Sede Natural

José María Estudillo de Alvarado

El Jefe de

El Presbítero Teodoro Heredia

El Párroco

El Sacristán

Párroco José Martínez
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(S): ABOG. URBANETA R. ANACELIS DEL VALLE APODERADA JUDICIAL DE:
BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: SEGUNDO DEL MUNICIPIO CARIÑENA DEL ESTADO FALCON, CON Sede en PUNTO
FIJO.

FECHA DE ENTRADA: Día 13, Mes 06, Año 2001

FECHA DEVOLUCIÓN: Día 13, Mes 06, Año 2001

C-22
Su Despacho

Yo, ARACELIS DEL VALLE URDANETA N., venezolana, mayor de edad, domiciliada en Valencia, Estado Carabobo, titular de la Cédula de Identidad No. V-7082174, abogada en ejercicio, inscrita en el INPREABOGADO bajo el No. 30-706, procediendo en este acto en mi carácter de apoderada, según se evidencia de instrumento poder otorgado por ante la Notaría Pública Sexta de Valencia, en fecha 25 de octubre del 2000, el cual quedó anotado bajo el No. 41, Tomo 79 de los Libros de Autenticaciones llevados por esa Notaría Pública, se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1996, bajo el No. 1, compiladas sus reformas en un solo cuerpo, según consta de Acta de Asamblea General Extraordinaria de Accionistas, inscrita por ante el Registro mercantil Primero de la Circunscripción Judicial del Estado Carabobo, en fecha 20 de enero de 1997, bajo el No. 2, Tomo 8-A, ante usted respetuosamente ocurre y expongo: De conformidad con los artículos 192, 916 y 938 del Código de Procedimiento Civil y 1429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal y, en consecuencia, se obvie, el requisito de la distribución, con el fin de que el tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca Ford, Modelo: Explorer, tipo, color, año y placas, que presenta el vehículo inspeccionado. SEGUNDO: Si el vehículo antes identificado, tiene cuatro (4) cauchos instalados en cada uno de sus rines. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. CUARTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado. QUINTO: Se tomen fotografías de la carrocería y las
condiciones en que se encuentra el vehículo inspeccionado. SEXTO. Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos expresamente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha Inspección Judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que las referidas fotografías fueron realizadas en su presencia y que son reproducciones fieles y exactas de los hechos evidenciados en la presente Inspección Judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero, en la fecha de su presentación.

[Signature]

Recepción para reproducción y fecha 13/06/01 horas 10:55 am. Fecha de la Inspección Judicial el folio 212 se fija un anexo 2 folios posteriores. [Signature]
JORGE ANTONIO GONZALEZ ALVAREZ, estadounidense, mayor de edad, natural en derecho, domiciliado en la ciudad de Valencia, Estado Carabobo, y titular de la cédula de identidad Nº 81.607.491, actuando en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA C.A., (antes denominada C.A. Firestone Venezolana), sociedad inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintiún (23) de octubre de 1956, bajo el Nro. 1, cumplidas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas infracta por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún (23) de octubre de 1956, bajo el Nro. 2, Tomo 8-A, autorizado para este acto según se evidencia en la Cláusula Decimotercera en su parte “C” del Decreto de Constituto Estatutario, por el presente documento declaro: Que cefiero en nombre de mi representada, Poder especial perfeccionado y bastante cuanto en derecho se requiera, a los Abogados MIGUEL ANGEL COLMENARES y ARACELIS URDEANETA NAVAS, venezolanos, mayores de edad, solteros, hábiles en derecho, titular de las cédulas de identidad Nro. 7.067.502 y 7.082.174, respectivamente, inscritos por ante el Instituto de Previsión Social del Estado Bolivariano de Carabobo bajo los números 30.705 y 30.706 respectivamente, y ambos de este domicilio, para que conjuntamente o separadamente representen y sostengan los derechos, acciones e intereses, de mi representada BRIDGESTONE FIRESTONE VENEZOLANA, C.A., ya identificada, y en consecuencia, en virtud del presente mandato, queden facultados los nombrados Apoderados para intentar, contestar demandas, darse por citados y notificados, oponer y contestar excepciones y prescripciones, desistir, transigir, convenir, comprometer en árbitros arbitradores o de cualquier otra forma, promover y evacuar pruebas, pedir y hacer ejecutar medidas preventivas y ejecutivas, ejercer los recursos ordinarios o extraordinarios que concedan las Leyes, inclusive el de Casación, hacer posturas en remate y recibir adjudicaciones. Los apoderados podrán nombrar apoderados especiales para asuntos determinados cuando lo juzguen conveniente o lo requiera la Ley, sustituirlos en todo o en parte, reservándose o no su ejercicio y resumirlo en cualquier tiempo cuando a bien de...
tu activo en los Tribunales, funcionarios y Organismos competentes de la República,
los Estados y Municipios, y demás personas naturales o jurídicas de carácter público o
privado. Se entenderá que las facultades aquí enunciadas son a título meramente
administrativo y no taxativo. Se hacen dos ejemplares de un mismo tenor y a un solo
efecto. valign, en la fecha de su autenticación.

Por BFVZ

Jorge A. González A.
REPUBLICA BOLIVARIANA DE VENEZUELA

NOTARIA PÚBLICA SECTA DE VALENCIA DEL REGISTRO DE LA PROVINCIA DE VALENCIA

VENEZUELA. 1662

José Antonio Gómez Alvarado (Actuando en su carácter de Presidente de "BRIDGESTONE FIRESTONE VENEZUELA, C.A."),

Mayor (as) de edad, domiciliado (a) en: VALENCIA

De Nacionalidad (os): ESTADOUNIDENSE.

De estado civil: Casado

Título (os) de la (s) Cédula (s) de Identidad Numero(s) E-81.607.491...

Firmó y confrontó el original con sus Fotocopias y firmadas en estas y en el presente original en presencia de LA NOTARIO, EL (los) CTGIANTE (S) expuso (eron) "SU CONTENIDO ES CIERO Y MIA (NUESTRAS) LA (S) FIRMA(S) QUE APEACE (N) DEL INSTRUMENTO. LA NOTARIO en tal virtud, lo declara AUTENTICADO en presencia de los testigos escriturarios; MIGUEL BOADA Y MIGUEL BOADA.

Título (os) de las Cédulas de Identidad Números V-4.872.554 Y V-4.684.501, dejándolo inscrito bajo el N° 412. TOMO 78. de los libros de AUTENTICACIONES llevados por esta Notaría. LA NOTARIO QUE SUSCRIBE HACE CONSTAR QUE FUE PARA SU
VISTA Y PRODUCCIÓN REGISTRO DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A., INSCRITA POR ANTE EL REGISTRO MERCANTIL QUE LLEVO EL JUÍZADO DE PRIMERA INSTANCIA EN LO CIVIL Y MERCANTIL DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 22-12-96, BAJO EL NÚMERO 1, COMPILADAS SUS REFORMAS EN UN SOLO CUERPO SEGÚN CONVENIO DE ACTA DE ASAMBLEA GENERAL EXTRAORDINARIA DE ACCIONISTAS, INSCRITA EN EL REGISTRO MERCANTIL PRIMERO DE ESTA CIRCUNSCRIPCIÓN JUDICIAL, EN FECHA 29-01-97, BAJO EL NÚMERO 1, TOMO I-4, AUTORIZADO PARA ESTE ACTO SEGÚN EVIDENCIA EN LA CLÁUSULA DELDECIMA EN SU PARTE OCTAVA DEL DOCUMENTO CONSTITUYENTE ESTATUTARIO. IGUALMENTE DEBE CONSTAR QUE PARA ESTE ACTO AUTORIZADO A LA CIUDADANA MARÍA VICTORIA RODRÍGUEZ CON CEDULA DE IDENTIDAD V-6.999.108, EScriBIENTE DE ESTA NOTARIA PARA PRESENCIAR Dicho ORGANISMO CON FORMA EL ARTÍCULO 59 DEL REGLAMENTO DE NOTARIAS PÚBLICAS EN LAS Opciones DE ESCRITURA EN CARRERA VIEJA VÍA LOS GUAYOS EN VALENZIA, A LAS 11:30 HRS.

EL PODERDANTE.

LOS TESTigos.

EL Funcionario Autorizado.
REPUBLICA BOLIVARIANA DE VENEZUELA. Fuero Judicial. SECCION SEGUNDO
DEL MUNICIPIO CARACAS DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO
FALCON, CON SEDE EN PUNTO FIJO.---------------------------

PUNTO FIJO, 13 de Junio del Ano 2001.-

Vista la anterior solicitud presentada por la
Abogada: Araceli del Valle Urdaneta A., en su carácter de Apoderada Judicial de la Empresa: BREDIGHTON FIRESTONE VENEZUELANA C.
A., y por cuanto la misma no es contraria a derecho ni a ninguna
expresa disposición de la Ley y jurada como ha sido la urgencia
del caso se habilitó todo el tiempo necesario. En consecuencia
este Tribunal acuerda trasladarse y constituirse en la dirección
que la parte solicitante señale en el momento de llevar a la prac-
tica la misma y realizar la INSPECCION OCULAR solicitada para de-
jar constancia de los particulares a que se contrae la misma. Anóti-
sese en el libro Diario de labores y en el libro de solicitudes y sai-
neselasándose.- De la constancia de su actuación en el libro Diario
de labores que se hará en este Despacho.-

EL JUEZ PRESIDORIO,

FIRMADO: CLARA JUANITA DE ALVAREZ.-

EL SECRETARIO-ELABOR.

FIRMADO: LUIS AMOROS AL A R.

Día de hoy: Trece (13) de Junio del año Mil Veinte de -03,

El Tribunal deja constancia que la fotógrafa mencionada toma las fotografías de la carrocería del vehículo inspeccionado y condiciones del mismo a través de las fotografías. El Tribunal deja constancia que fueron debidamente tomadas las mencionadas fotografías.

SIXTO PARTICULAR: El Tribunal, en el pedido de la solicita, ordenó al perito mecánico exponer sobre las condiciones en que se encuentra la carrocería del vehículo objeto de la inspección, en consecuencia el mismo expuso: Quiero dejar constancia que el vehículo presenta descuido generalizado, humedez, desperfecto, explosión de vidrios, abolladuras y raspaduras en toda su parte superior es total. En este Estado el solicitante interviene para exponer y haciendo uso de su derecho de reserva pide al Tribunal dejar constancia del Serial de Carrocería del vehículo inspeccionado así como del kilometraje y tipo de suspensión que presenta el vehículo inspeccionado. En este estado el Tribunal vistió el pedido de la solicita, ordenó al perito mecánico proceder a evacuar el pedido y en consecuencia el mismo expuso: Serial de Carrocería: BUJUAKJL08AB0981, y en lo que respecta al kilometraje pone en su lectura a través del tablero la cantidad de: 39,404 kilómetros, y en lo referente al tipo de suspensión, la misma es suspensión Australiana. En este Estado el Tribunal deja constancia que las fotografías se efectuaron y fue utilizada una cámara marca: Polaroid. Instantánea Close Up. En todo, el Tribunal dio por terminada su misión siendo las 14:30 p.m. y ordena constituirse en su Sede habilitada.

EL NOTIFICADO:

HERMAN ALVAREZ

EL PRACTICO FOTOGRAFO:

JORGE ANTONIO CULMARES

LA SOLICITANTE APoderada:

DRA: MARCELINA DEL VALLE URBAINA

ANTONIO ANGULO PÁEZ
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S): 

MOTIVO: 

JUZGADO: 

FECHA DE ENTRADA: Día __ Mes __ Año __

FECHA DEVOLUCIÓN: Día __ Mes __ Año __
Yo, FRANCISCO JESUS VELASQUEZ ARCAI, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.121.658, procediendo en este acto en mi carácter de apoderado de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiún de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente recurro y expongo: De conformidad con el artículo 192 del Código de Procedimiento Civil, juro la urgencia del caso y de conformidad con lo establecido en el artículo 936 del Código de Procedimiento Civil, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución, con el fin de que el Tribunal se traslade y constíuya en las instalaciones del Taller: Autoservicios Vicar, C.A., ubicado en la Avenida Boyacá N° 84-72, Santa Rosa, Valencia, Estado Carabobo, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:  

PRIMERO: De la presencia dentro del taller donde se encuentra constituido el Tribunal, de un vehículo de las siguientes características: Marca: Ford, Modelo: Explorer Tipo 4x2, Color: Negro, Placas: F42-12G.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines.
TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodadura.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

OCTAVO: Se deje constancia del estado en que se encuentran los rines, y especialmente sus bordes, en los cuales están montados los cauchos del vehículo placa Nº FAJ-12G.

NOVENO: Se deje constancia si los cauchos del vehículo placa FAJ-12G han sido cortados o dañados por los rines del vehículo mencionado.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 cuadragésimo, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un experto fotógrafo para la elaboración de las mismas, y, un experto mecánico que deje constancia de los particulares técnicos que oportunamente señalaré el Tribunal. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, a los dieciséis (16) días del mes de mayo de dos mil (2000).
Yo, ROSENGIO S. TERRADAS, venezolano, mayor de edad, de un lugar, de mi domicilio, civilmente hábil y titular de la cédula de identidad No. 6,297,265, proveyendo en mi carácter de representante de la sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés (23) de octubre de 1936, bajo el No. 1, por el presente documento declaro: Que mi representante confiere poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio: HUMBERTO J. BRECEDO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D’APOLLO, RAMEZ J. ALVINS SANTI, MARIA FERNANDA ZAJIA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS FUMENZEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3,967,569, 3,661,425, 7,308,173, 6,845,624, 6,822,669, 10,335,670, 9,879,275, 7,130,825 y 7,121,698, respectivamente e inscritos en el INPREBAGADO bajo los Nos. 13,946, 11,568, 19,692, 26,294, 32,501, 54,502, 46,338, 55,660 y 14,892, también respectivamente domiciliados los ocho primeros de los nombrados en la ciudad de Caracas, Distrito Federal, y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjunta o separadamente, representen y ostengan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que se aparta, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo pero

[t].
mis apoderados de a ello, por ante los Tribunales de Primera y/o Segunda Instancia, de Distrito o de Municipio, Corte Suprema de Justicia, Corte Primera en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Tributario, Tribunales en lo Contencioso Administrativo, Tribunales Penales, Tribunales del Trabajo y en fin, por ante todos los organismos, tribunales, despachos, autoridades y/o funcionarios de carácter público o privado. En el ejercicio del presente poder los apoderados están facultados para intentar y/o contestar toda clase de demandas, reclamos, procedimientos, incidencias y/o reconvenciones; alegar, oponer y/o contestar defensas y cuestiones previas; hacer citas de amenazamiento y/o de garantía; convocar, desistir, transigir, renunciar a acciones o derechos y dejar de ejercerlos si así fuera conveniente; solicitar acumulación de autos o de acciones; diferir actos; suspender, ejercer, reclamar y renunciar lapaces y recursos; recurrir; demandar la nulidad y la reposición cuando fuera necesario o conveniente; apelar; ocurrir en hechos; promover cualquier medio de prueba y oponerse a la adición de los mismos e intervenir en todos los trámites e incidencias de su evacuación; solicitar y tramitar cualquier medida preventiva o ejecutiva cuando así fuera necesario o conveniente o oponerse a las mismas e intervenir en cualquier otra incidencia que pudiera presentarse; incoar tercerías; tachar y/o desconocer toda clase de documentos; tachar testigos; hacer cesión de bienes; pedir rendición de cuentas; proponer acciones petitorias o conferencias de la especie que fueren, darse por citado o notificado; recibir y entregar cantidades de dinero que legítimamente se adeudan, otorgando y exigiendo los correspondientes recibos y fíjoliquites; disponer de los derechos en litigio; solicitar e intervenir en procedimientos de remate, a tales fines hacer posturas y adquirir en actos de remate; otorgar cualesquiera fianzas y cauciones requeridas por alguna Corte o Tribunal; oponerse a cualquier clase
1675


Elaborado y firmado

[Signature]

[Date]
...
REPUBLICA DE VENEZUELA, NIGNA PUBLICA, TRIBUNAL DE VENEZUELA

1677

EL CEREBRIT

LA TROMBA

1677
ROSA HUEDA DE HUITEMA, NOTARIA PUBLICA TERCERA DE VALencia, que suscribe cerca:

1678

Que ha confrontado la copia fotostática constante de

una(s) fotostática(s) y que es tránsito falso y exacto del Documento que se encuentra notariado
por ante esta Notaría durante el año 1896 anotado bajo el No 28 de

11. Que dicha copia fue realizada por el ciudadano escribiente

CAROLINA AGUILAR DE PANTOJA, mayor de edad, titular de la cédula de identidad No

V-7.111.085, persona casada autorizada por mí para hacerla y que

junto consigo suscribe la presente certificación y cada una de las páginas,

Que dicha copia es expedida a solicitud de parte interesada y Decreto de esta-

mismo fecha los que a continuación se insertan: Notarla Pública Tercera de

Valencia. Su Censeano. Ye. FRANCISCO VELASQUEZ ARCAV, mayor de edad,

titular de la cédula de identidad No V-7.111.085 solicitó copia(s) No

05.1

certificadas fotostáticas del presente documento No 28. en los

libros de Autenticaciones levados por esta Notaría, en fecha 30-03-1.996.

En Valencia, a los diecinueve (19) del mes de Agosto de mil novecientos

noventa y seis) el solicitante(par؛) (illegible). República de Venezuela.

Nota. Pública Tercera de Valencia. Valencia diecinueve de

Agosto...

y a tal efecto de conformidad; expreden la(s)copia(s) fotostáticas certifica-

das en ella solicitada y a tal efecto de conformidad con lo establecido en

el Artículo 1223 de la Ley de Registro Público. Se designa a la ciudadana -

CAROLINA A. DE PANTOJA, mayor de edad, titular de la cédula de identi-

dad No V-7.111.085 para que realice la operación de Copia y suscribe cada

una de las páginas junto con el Notario(s) ROSA HUEDA DE HUITEMA, Notaría

Pública Tercera de Valencia. Valencia, diecinueve (19) del mes de Agosto

tot, en mil novecientos noventa y seis) años de la Independencia

el Notar, as de la República del territorio de

LA DESIGNADA

El Notar, as de la República del territorio de

valencia.
JUZGADO CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS CAYOS, NAQUIVINA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO LARA-BUXO.


Por recibida la presente solicitud, Dada la Distribución por ser Juzgado de urgencia del caso, Habilitado todo el tiempo necesario. Désele entrada, trasladése y constitúyase el Tribunal, al sitio indicado en la presente solicitud, a fin de escuchar la TRANSCRIPCIÓN JUDICIAL, solicitada.

EL JUZGADO/EL JUZGADO:

DR. RAFAEL CASTILLO M.

En la misma fecha se le dio entrada bajo el N°

EL SECRETARIO TITULAR:
la fecha de hoy, Diciembre de Trece de mil quinientos ochenta y cuatro, se trato y constito el
Tribunal de la Gran Concepción y la misma persona como Juez fue investido de la función de
Santería, a fin de practicar la
Representación Judicial, solicitado por
el doctor Ignacio Tomás Fierro Vélez,
Juez Fiscal, habilitado 73, 5423, a favor
del abogado, Tomás Fierro Vélez,
Juez, Juez Fiscal, habilitado 73, 5423, a favor
presentó el
la parte,

a la cita, y se retiró de la
con

sino del Tribunal de Casación.

Gustavo Eduardo, de acuerdo a lo\n
así como, en el
con la

80, quien manifestó al tri

bunal, en consecuencia del fallo

autorización, firmó C.A., donde se en

vestido el Tribunal, pues en

mismo, e incrementó a la

para la práctica de la presente

Representación Judicial, se anuncia

nombre, apellidos y fotografías a los ciudadanos Gustavo Eduardo

según Concesión y Licencia
1681

Cuando Romero presentó, según la
identidad, n° 784, 6425932 y P 057 576
respectivamente, quienes estaban
presentes aceptaron el cargo, fun-
dieron el juramento y asinaron los
contratos. Unas 23 unidades de las
fotografías tomadas, fueron aca-
pagadas a la presente solicitada,
para que firmen parte de los
acuerdos: el tribunal diga consta-
tancia de la misma.

En caso de que las fotografías fueron
tomadas con una cámara marca
sony digital, diga constanciones
bajo juramento, para a presentar la
identificación Judicial solicitada y
digas constancias de la siguiente:

Pueden el tribunal diga cons-
tancias las que son las anteriores,
as que tal vez donde se encuentran
constituidos aparece un vehículo,
con matrícula: 096109, modelo:
Explorer, tipo 4 X 2, color negro,
placard: CA 1 1 26, identificación
complementada con el jefe de
designado: Segundo: El tribunal diga
constancias que el referido vehículo
tiene una licencia y el conductor
identificó con toda certeza de su
mismo: El tribunal diga constancias
que los conductores, en caso inter-
dos con traje o 20, número 29, 235/75
y 215/75, Wilderness, de color.

1681

Verdicto: El tribunal deja constancia de la existencia de dos (2) personas en el vehículo empleado, con nombre de su nombre en proceso, las cuales están en buen estado. Segundo el tribunal, ordena la toma de fotografías de cada uno de los vehículos empleados en el caso.

En la misma, a nombre del tribunal, expresa: "Decid el tribunal que el hecho de la comisión de esta maniobra por parte de la señora en su totalidad, fuentes: cuaderno, acta, certificado. Otros: El tribunal acuerda por el acto de la comisión de esta maniobra que la..."
solicitante:

E. 047

El Notario:

El Fotografo:

La Secretario:

F. -
REPUBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(S): FRANCISCO JESÚS VELASQUEZ ACAY (BR) GE: LUNES 7 DE MARZO DE 1984

VENEZUELA C/A.-

MOTIVO: INSPECCIÓN JUDICIAL

JUZGADO: CORTO DE LOS MUNICIPIOS DE VAL-CEA

FECHA DE ENTRADA: Día 17 Mes MAYO Año 2000

FECHA DEVOLUCIÓN: Día ___________ Mes ___________ Año ___________
CIUDADANO

JUZGADO DE LOS MUNICIPIOS ALARCON, LIBERTADOR, LOS
GUAYOS, NAGUISA Y SAN DIEGO DE LA CIRCUNSCRIPCION

JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESUS VELASQUEZ ARCAI, venezolano, mayor de edad,
comerciante en Valencia, Estado Carabobo, titular de la cédula de identidad N°
7121212121, proveyendo en este acto en mi carácter de apoderado según se
evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE
FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A.
FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó
el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la
Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre
de 1985, bajo el N° 1, cumplidas sus reformas en un solo cuerpo según consta de
Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el
Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en
fecha veintiocho de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente
ocupo y expongo: De conformidad con el artículo 192 del Código de
Procedimiento Civil, juro la urgencia del caso y de conformidad con lo establecido
en el artículo 935 del Código de Procedimiento Civil, solicito la habilitación del
tiempo necesario de este honorable Tribunal, y en consecuencia se obvi el
requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en
las instalaciones del Taller Midianca, ubicado en la Avenida Bolívar Norte, al
lado de Distribuidora Canarias Norte, C.A., Valencia, Estado Carabobo, a fin de
dar constancia por vía de Inquecia Judicial, de los particulares siguientes:

PRIMERO: De la presencia dentro del taller donde se encuentra constituido el
Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer, y el Tipo, Color y
Placas, que presenta el vehículo inspeccionado:

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados
en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia y que me reserve el derecho de señalar en su debido momento.

Solícito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 302, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un experto fotógrafo para la elaboración de las mismas, y un experto mecánico que deje constancia de los particulares técnicos que oportunamente señale el Tribunal. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solícito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, a los diecisiete (19) días del mes de mayo de dos mil (2000).
ROSENO DE TERRACAS, venezolano, mayor de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.265, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Transcripción Judicial del Estado Carabobo en fecha veintitrés de octubre de 1956, bajo el No. 1, por el presente documento declaro, que mi representada confiere poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio, HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDEMA, JOSÉ HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA PAJÁ, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LOUIS PINEO, HENRIQUEZ Y FRANCISCO J. VELASQUEZ ARAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 2.961.567, 1.461.025, 7.308.173, 6.849.626, 10.335.679, 9.879.281, 7.139.825 y 7.121.659, respectivamente e inscritos en el INPREBOSGADO bajo los N°s. 18.961, 11.568, 19.692, 26.304, 32.501, 54.502, 48.338, 55.656 y 54.892, también respectivamente; domiciliados los ocho primeros de los nombrados en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y ostenten los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estadal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo pero

Ω  26-  T- ML.
sin exceso límite alguno por ante los Tribunales de Primera
Segunda Instancia, de Distrito o de Municipio, Corte Suprema
Justicia, Corte Primera en lo Contencioso Administrativo
Tribunales Superiores en lo Contencioso Administrativo, Tribunales
Superiores en lo Contencioso Tributario, Tribunales en lo
Contencioso Administrativo, Tribunales Penales, Tribunales del
Trabajo y en fin, por ante todos los organismos, tribunales,
despachos, autoridades y/o funcionarios de carácter público, y
privado. En el ejercicio del presente poder los nombrados
apoderados están facultados para intentar y/o contestar toda clase
de demandas, reclamos, procedimientos, incidencias
reconvenencias; elegir, oponer y/o contestar defensa y cuestiones
previas; hacer citas de apercibimiento y/o de garantía; convenir;
asistir, transigir; renunciar a acciones o derechos y dejar de
ejercerlos si así fuere conveniente; solicitar acumulación de autos
o de acciones; diferir actos; suspender, ejercer, reclamar y
renunciar la pena y recursos; resuelta, demandar la nulidad y la
renuncia cuando fuere necesario o conveniente; apelar, ocurrir el
hecho; promover cualquier medio de prueba y oponerse a la admisión
de los mismos e intervenir en todos los trámites e incidencias;
sus evacuación; solicitar y tramitar cualquier medida preventiva
o ejecutiva cuando así fuere necesario o conveniente; oponerse a las
mismas e intervenir en cualquier otra incidencia que pudiera
presentarse; incluir terceras; tachar y/o desconocer toda clase de
documentos; tachar testigos; hacer cesión de bienes; pedir
rendición de cuentas; proponer acciones petitorias o conferencias de
la especie que fueran; dar por citado o notificado; recibir y
entregar cantidades de dinero que legítimamente se adeuden;
otegando y exigiendo los correspondientes recibos y finiquitos;
disponer de los derechos en litigio; solicitar e intervenir en
procedimientos de remate, a tales fines hacer posturas y adquirir
en actos de remate; otorgar cualesquiera fianzas y cauciones
requeridas por alguna Corte o Tribunal; oponerse a cualquier clase
de proceso sin fianzas; comprometer en arbitros arbitradores y/o
Facultades de derecho, solicitar, otorgar, cancelar, suspender, revocar, en todas sus instancias, incidencias y trámites, y ejercer todos los recursos a que hubiere lugar, tanto los ordinarios como los extraordinarios de casación o invalidación, iniciar y asistir del juicio de amparo, promover y absolver posiciones juradas, promover quejas y querellas y asistir de ellas, y en general, hacer todo cuanto fuere necesario o conveniente para la mejor defensa de los derechos e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia de las facultades aquí conferidas son meramente enunciativas y no definitivas y que los apoderados aquí instituidos están facultados para sustituir al presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de mi representada, del carácter con que ejerce, de sus atribuciones y de los demás particulares relativos a los poderes, y de conformidad con lo previsto en el artículo 155 del Código de Procedimiento Civil, enunció y exhibo en este acto el Notario ante quien se otorgó el presente poder, solicitándole se sirva hacer constar en la nota respectiva, los siguientes documentos: PRIMERO. Copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1956, del asiento Registro de Comercio No. 1, contenido del Documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.); SEGUNDO. Copia certificada expedida por el Registro Mercantil Primero de la Circunscripción Judicial del Estado...
REPUBLICA DE VENEZUELA, NOTARIA PÚBLICA DE LA CIUDAD DE CARACAS, VELENABICIA

El anterior documento redactado por el abogado FRANCISCO C. VELASQUEZ ARAYA, inscrito en el impresbogado bajo el N° 54492, fue presentado para su autenticación y devolución, según planilla N° 243 271, de fecha 30-1-96. Presente su otorgante dijo llamar: R. S. TERRAZAS actuando en carácter de Presidente de BRIDGESTONE FIRESTONE VENEZUELA, C.A., mayor de edad, domiciliado en: ____________________________

de nacionalidad: V, de estado civil: C. D., titular de la cédula de identidad N° 3,207,265. Hecho el documento en presencia de la notario expuso: "Su contenido es cierto y me lo firmó que aparece al pie del instrumento". La Notario e tal virtud le diera autenticación en presencia de los testigos: MANUEL JIMENEZ Y JUAN DE CEBALLOS, titulares de las cédulas de identidad N°s 10,737, 912 y 305,502, dejando inserto bajo el N° 248, Tomo: I, de los libros de autenticaciones llevados en esta notaria. La Notario hace constar que tuvo para su vista y devolución el registro de Comercio de BRIDGESTONE FIRESTONE VENEZUELA, C.A., inscrita originalmente por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Segunda Circunscripción Judicial del Estado Carabobo, en fecha 23 de octubre de 1956, bajo el N° 1. Igualmente para el otorgamiento del presente documento la Notario se trasladó y constituyó en la Empresa BRIDGESTONE FIRESTONE VENEZUELA, C.A., de esta ciudad a las: 10:10a

LA NOTARIO

________________________

EL OTORGANTE

________________________

LOS TESTIGOS.
Lo que sucede es que por escrito y ante la notaria 1º, ahora 4º, del municipio de Cárdenas de Estella, ante los notarios 1º, ahora 4º, del municipio de Cárdenas de Estella, bajo el nº 45, 4º, de febrero 11 de 1995, se ha hecho el acto.
REPUBLICA DE VENEZUELA. ROSA RUEGA DE HOUTMANN. NOTARIO PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARABobo, QUIEN SUSCRIBE CERTIFICADO:

Que he encontrado en la Copia Fotostatica constante del TRES (03) folios siguientes, que es trazo fiel y exacto del Documento inserto en esta Notaria, durante el año 1998, bajo el nº 28, comienzo: 114, que designa:

El fue realizado por la Ciudadana: SUELEDA RUEGA, mayor de edad, Titular de la Cédula de Identidad nº V-5,627,001, persona capaz, autorizada por el para hacerlo y quien jure conste suscribe el presente Certificado, con uno de sus páginas. Que dicha Copia se expide a solicitud de persona interesada y Decreto de esta misma fecha, las cuales a continuación se indican:

Jardines de Venezuela. Notario Publico Tercero de Valencia. Valencia, 19-

1703
GADO CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS,
NAGUANUGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO
CARABOBO.

Valencia, 19 de Mayo del 2.000.
1919 y 1419

Por recibida la presente solicitud. Obviada la Distribución por
ser Juzgada la urgencia del caso. Mobiliado todo el tiempo nece-
sario. Désele entrada. Trasládesse y constitúyase el Tribunal al
sitio indicado en la presente solicitud, a fin de practicar la:

INSECCIÓN JUDICIAL SOLICITADA.

EL JUEZ PROCESAL

DR. RAFAEL E. CHILLÓN H.

EL SECRETARIO TITULAR:

ABC. JUAN LUIS SÁNCHEZ P.

En la misma fecha se le dio entrada bajo el N° 3279.

EL SECRETARIO TITULAR:
Día 25 de Septiembre de 1827, a la edad de
ímenes del Febrero de año de 1800, viudo
ior de la Febrería, se recibe
miso por el tribunal en la del
la Sección, pública en el taller Gabriel
a, ubicado al norte de la Plaza
casa Camara, junto con la parte
el假日isto el Real Delgado, de
esta ciudad de México, así de
práctica la Sección, en el
delitriuca y por el abogado Francisco
Manuel Espinoza, respectivo
354/893, de abogado individual del
Bridgette Already, Tenglorena, en el
señor donado el, de la
Tenglorena, presentes en este acto.
la Sección de la Sección del tribunal
al ciudadano, Manuel González, titular
de la Sección, de la ciudad de
27.29.1.94, quien manifestó ser
mismo del taller donde se encuentra
seño, titulares del tribunal, se
manifestó, ubicado en el primer piso de la
La casa Tenglorena, mayor de edad,
titular de la_sección de la ciudad
27.29.1.74, quienes estando
presidentes o asociados del mismo.
1706
SE DEVUELVE AL SOLICITANTE CONSTANTIN DE WEINT (20) FOLIOS UTILIZADOS, CON LOS QUE, VENIDOS DE HAYO DEL AÑO LOS MIL.

SECRETARIO LEGAL:

ASG. JULIO LUIS SANZ
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE(S): FRANCISCO JESÚS VEALÓSQUEZ ARCAI, apoderado de: BRIDGESTONE FIRESTONE VE EZOLANA C.A.

MOTIVO: INVESTIGACIÓN JUDICIAL

JUZGADO: SEGUNDO DE LOS MUNICIPIOS VALENCIA LIBERTADOR, LOS CAYOS NAGUA-NAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBÓ.

FECHA DE ENTRADA: Día 23 Mes mayo Año 2000

FECHA DEVOLUCIÓN: Día ____________ Mes ____________ Año ____________
Ciudadano
JUEZ SEGUNDO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION
JUDICIAL DEL ESTADO CARABOBO
Su Despacho.

Yo, FRANCISCO JESÚS VELASQUEZ ARCAJ, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N° 54.892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintinueve (29) de enero de 1997, bajo el N° 2, Tomo B-A, ante usted respetuosamente ocurre y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución, con el fin de que el Tribunal se traslade y constiuya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:________________________

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer, y el Tipo, Color y Placas, que presenta el vehículo inpeccionado.________________________

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines________________________
TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.

[Signature]

[Seal]

[Stamp]

[Date: 23.05.2000]
IO, ROSENO S. TERRAZES, venezolano, mayor de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.265, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés de octubre de 1956, bajo el No. 1, por el presente documento declaro, que mi representada confiere poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUEZ D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZALIA, CLEMENTINA DE CASTRO, MARGOT HUYEN, CARLOS LUIS PIMENTEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAY, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 1.967.563, 3.661.525, 7.300.173, 6.845.624, 822.899, 10.335.670, 9.879.275, 7.139.825 y 7.121.638, respectivamente e inscritos en el IMPENALOGADO bajo los Nos. 1.946, 11.565, 19.692, 26.304, 32.505, 54.502, 48.328, 55.460 y 54.892, también respectivamente, domiciliados los ocho primeros en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjunta o separadamente, representen y sostengan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sean parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estadal, distrital o municipal y de cualquier competencia, orden o jurisdicción, incluyendo pero
sin estipulación de ello por ante los Tribunales de Primera y Segunda Instancia, de Distrito o de Municipio, Corte Suprema de Justicia, Corte Primera en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Administrativo, Tribunales Superiores en lo Contencioso Tributario, Tribunales en lo Contencioso Administrativo, Tribunales Penales, Tribunales del Trabajo y en fin, por ante todos los organismos, tribunales, despachos, autoridades y/o funcionarios de carácter público o privado. En el ejercicio del presente poder los nombrados apoderados están facultados para intentar y/o contestar toda clase de demandas, reclamos, procedimientos, incidencias y convenciones; alegar, oponer y/o contestar defensas y cuestiones previas; hacer citas de saneamiento y/o de garantía; convenir, desistir, transigir; renunciar a acciones o derechos y dejar de ejercerlos si así fuere conveniente; solicitar acumulación de autos o de acciones; diferir actos, suspender, ejercer, reclamar y renunciar lapsos y recursos; recabar, demandar la nulidad y la reposición cuando así fuere necesario o conveniente; apelar; recurrir en hecho; promover cualquier medio de prueba y oponerse a la admisión de los mismos e intervenir en todos los trámites e incidentes de su evacuación, solicitar y tramitar cualquier medida preventiva o ejecutiva cuando así fuere necesario o conveniente; oponerse a los mismos e intervenir en cualquier otra incidencia que pudiera presentarse; incoar tercerías; tachar y/o desconocer toda clase de documentos; tachar testigos; hacer cesión de bienes; pedir rendición de cuentas; proponer acciones petitorias o conferencias de la especie que fueron; darse por citado o notificado; recibir y entregar cantidades de dinero que legítimamente se adeuden; otorgando y exigiendo los correspondientes recibos y finiquitos; disponer de los derechos en lítigo; solicitar e intervenir en procedimientos de remate, a tales fines hacer posturas y adquirir en actos de remate; otorgar cualesquiera fianzas y causantes requeridas por alguna Corte o Tribunal; oponerse a cualquier clase...
Otros de derechos que, como la sucesión, según la realidad, constituirán asociados; seguir el o los hechos en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiere lugar, tanto los ordinarios como los extraordinarios de casación o invalidación; iniciar y desistir del juicio de amparo; promover y abreviar posiciones juradas; promover quejas y querellas y desistir de ellas; y en general, hacer todo cuanto fuere necesario o conveniente para la mejor defensa de los derechos e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia de que las facultades aquí conferidas son meramente enunciativas y no taxativas y que los poderes aquí instituidos están facultados para sustituir al presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de mi representada, del carácter con que nacen, de sus atribuciones y de los demás particulares relativos a poderes, y de conformidad con lo previsto en el artículo 155 del Código de Procedimiento Civil, enuncio y exhibo en este acto de notario ante quien se otorga el presente poder, solicitándole se sirva hacer constar en la nota respectiva, los siguientes documentos: PRIMERO: Copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1986, del asiento Registro de Comercio No. 1, constativo del Documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.) SEGUNDO: Copia certificada expedida por el Registro Mercantil Primer de la Circunscripción Judicial del Estado
REPUBLICA DE VENEZUELA. NOTARIA PÚBLICA DEL DIST. DE VALENCIA. VALENCIA 

VERDAD (30) de enero de mil novecientos noventa y seis.

1724

Y 1394. El anterior documento redactado por el abogado FRANCISCO

CAVELAS EGUIZABAR, inscrito en el inpreabogado bajo el Nº 44442, fue

presentado para su autenticación y devolución, según planilla Nº 243

271, de fecha: 30-1-96. Presente su otorgante dijo llamarse: RONALDO

S. TERRADAS actuando en carácter de Presidente de BRIDGESTONE FIRE-

STONE V NEZOLAN, C.A., mayor de edad, domiciliado en: VALEN

cia nacionalidad: VENEZUELA, de estado civil: CASADO

titular de la cédula de identidad Nº 6.297.365. Leído el documento

en presencia de la notario expuso: "Su contenido es cierto y la firma que aparece al pie del in

strumento". La Notario e tal virtud

decía autenticado en presencia de los testigos: MARIELA JIMINEZ

Y ESTHER DE CEVAL, titulares de las cédulas de identidad Nos: 10.737.

912 y 395.502, dejándolo inserto bajo el Nº 28, Tomo: I, de

los libros de autenticaciones llevados en esta notaría. La Notario

hace constar que tuvo para su vista y devolución el Registro de Comercio de

BRIDGESTONE FIRESTONE V NEZOLAN, C.A., inscrita originalmente por

el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Capital Circunscripción Judicial del Edo. Carabobo, en fecha 23

de octubre de 1956, bajo el Nº 1. Igualmente para el otorgamiento del
gentemente documento la Notaría se trasladó y Constituyó en la Empresa-

BRIDGESTONE FIRESTONE V NEZOLAN, C.A., de esta ciudad a las: 10/156.

LA NOTARIO

EL OTORGANTE

LOS TESTIGOS.
REPUBLICA DE VENEZUELA. REPUBLICA DE HOYTANN, NOTARIO PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARABOB, QUIEN SUSCRIVE CERTIFICA:—

Que ha confrontado la Copia fotostática constante del: TRES (03)...follar útiles, que me traslado fiel y exacto del Documento inserto en esta Notaría, durante el Año 1.996.... bajo el No. 28...., Tomo: 118.... que dicha Cédula fue realizada por la Ciudadana: SULIDA NOGUERA—maya de edad, Titular de la Cédula de Identidad № V-5.622.001.... persona capaz, Autorizo a mi para hacerla y quien junte conmigo suscribe la presente Certificación en cada una de sus páginas. Que dicha Copia se expide a solicitud de personería interesada y Decreto de esta misma fecha, las cuales a continuación se insertan:

Ciudadano: Notario Público Tercero de Valencia. Su Despacho:— 

MARGARIT ROSELL—maya de edad, Titular de la Cédula de Identidad № V-12.605.141,—Solicito Copia fotostática Certificada del Documento № 28....., Tomo: 118..... de las Libros de Autenticaciones llevadas por esta Notaría en fecha: 30-01-96..... En Valencia, a los DÍCICHO (18).... días del mes del MAYO—......del DOS MIL. El Solicitante: (feb.) legible.

Notaria de Venezuela. Notaría Pública Tercero de Valencia, Valencia, 10—

2.000... y a tal efecto de conformidad con lo establecido en el Ar-

cículo 110 de la Ley de Registro Público, se designa a la Ciudadana: SULEI-

DA NOGUERA—maya de edad, Titular de la Cédula de Identidad № V—

5.622.001.....para que realice la operación de la Copia y suscribe cada una de las páginas junto con la Notaría. (feb.) ROSA RUECA DE HOYTANN, NOTARIO:

PUBLICO TERCERO DEL MUNICIPIO AUTONOMO VALENCIA DEL ESTADO CARABOBO, Valen-

cia, a los: DÍCICHO (18)....días del mes de: MAYO—......del DOS MIL—

1899 AÑOS DE LA INDEPENDENCIA Y 140 AÑOS DE LA FEDERACIÓN— . . . . . .

LA NARANJA

Notaría Pública Tercero de Valencia

DESIGNADA—
La NOTARIO que suscribe hace constar que tuvo para su vistazgo y despliegue Planilla FORMA 16 № 1234567890 cancelada en el Corte de fecha 18 de enero de 2020 expedida por el MINISTERIO DE HACIENDA.

[Signature]

[Stamp]

[Seal]
CA. 98 N° 0086047

DADO SEGUNDO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS QUAYOS, NA-
MANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARA-
BO.-

Valencia, 23 de Mayo del 2000

1904 y 1418

Recibida el anterior escrito, désele entrada y hágase Expe-
diente. Hábáltese el tiempo necesario para la practica de la medida,
como ha sido solicitada y júrada la urgencia del caso. Trasládese y
constitúyase el Tribunal al lugar de indíque el solicitante, a los
 fines de practicar la inspección judicial requerida. Devuélvase ori-
cinal con sus resultados una vez se practicada la Inspección.

La Secretaría,

En la misma fecha se le dio entrada bajo el N° 214 y se formó Expedien-
te.

La Secretaría.
Hoy de hoy, veintitrés de mayo del año dos mil, siendo las dos y treinta y cinco de la tarde.

La presente fue el titular del tiempo necesario, se trató y constituyó el Tribunal Segundo de los Municipios Valencia, Libertador, Los Caobos, Maracay y San Diego de la Circunscripción Judicial, al lugar designado por el solicitante, el Estatuto de los Secretarios de Salud, Hacienda y Administración, en el lugar de la Jurisdicción de la Parroquia Rafael Urdaneta, Municipio Valencia, Estado Carabobo, a los fines de practicar la Inspección Judicial.

Se designó al Juez que asesoró al Tribunal sobre las particularidades contenidas en el acta de solicitud y práctico fotografiado a los ciudadanos en el acta de solicitud. Y la ley de los secretarios que rige el acto de solicitud.

Vedado el número de la localidad de los Municipios Valencia, Libertador, Los Caobos, Maracay y San Diego.

La Inspección Judicial y con relación al particular, se constató que el vehículo fue encontrado en el sitio donde se encontró el particular.

El Juez que asesoró al Tribunal se presenta con el nombre de José Paredes, Modelo Explorer, Tipo 4120.

El coche presenta las siguientes características: color gris, palma, con placas: GEJ-645. Con relación al particular, se constató que el vehículo fue encontrado en el sitio donde se encontró el particular.

El coche fue encontrado en el sitio donde se encontró el particular. El coche fue encontrado en el sitio donde se encontró el particular. El coche fue encontrado en el sitio donde se encontró el particular. Las características del vehículo fueron:

- **Modelo:** Explorer
- **Tipo:** 4120
- **Color:** Gris
- **Placas:** GEJ-645

La Inspección Judicial y con relación al particular fue constituida.

El Juez que asesoró al Tribunal se encuentra con el nombre de José Paredes, Modelo Explorer, Tipo 4120.

Con relación al particular, se constató que el vehículo fue encontrado en el sitio donde se encontró el particular. Las características del vehículo fueron:

- **Modelo:** Explorer
- **Tipo:** 4120
- **Color:** Gris
- **Placas:** GEJ-645

La Inspección Judicial y con relación al particular fue constituida.

El Juez que asesoró al Tribunal se encuentra con el nombre de José Paredes, Modelo Explorer, Tipo 4120.

Con relación al particular, se constató que el vehículo fue encontrado en el sitio donde se encontró el particular. Las características del vehículo fueron:

- **Modelo:** Explorer
- **Tipo:** 4120
- **Color:** Gris
- **Placas:** GEJ-645
En petición de hoy, veintitrés de los veinte y ocho del mes de abril, se acometieron los presentes actores a los policías, contándoles de ocho (11) pisos y el día fue el lunes.
REPÚBLICA DE VENEZUELA

PODER JUDICIAL

JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE (S) Francisco José Velezquez Arichy, Proveedor de Bridgestone Firestone Venezuela, C.A.

MOTIVO INSPECCIÓN JUDICIAL

JUZGADO 1º de los Municipios Sucre y San Ignacio de la F.J. del Estado Carabobo

FECHA DE ENTRADA: Día 29 Mes Junio Año 2000

FECHA DEVOLUCION: Día 03 Mes Julio Año 2000
Ciudadano

JUEZ PRIMERO DE LOS MUNICIPIOS GUACARA Y SAN JOAQUÍN DE LA
CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESÚS VELASQUEZ ARCAY, venezolano, mayor de edad,
domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N°
7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N°
54.892, procediendo en este acto en mi carácter de apoderado según se evidencia
de instrumento poder que se anexa a esta solicitud de BRIDGESTONE

FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A.

FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó
el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la
Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre
de 1956, bajo el N° 1, compiladas sus reformas un solo cuerpo según consta de
Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el
Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en
fecha veintiocho (29) de enero de 1997, bajo el N° 2, Tomo B-A, ante usted respetuosamente
ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de
Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la
habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se
obviye el requisito de la distribución, con el fin de que el Tribunal se traslade y
constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia
por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el
Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas,
que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cuarenta (4) cauchos instalados
en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en
CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicitud de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 592 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que estere en Guacara, en la fecha de su presentación.
GADO PRIMERO DE LOS MUNICIPIOS GUACARA Y SAN JOAQUÍN DE LA CIRCunscripción JUDICIAL DEL ESTADO CARABobo.- Guacara, Veintinueve de Junio de dos mil.-

100° y 141°

Vista la anterior solicitud. Habilítese el Tiempo necesario por haber esta jurada la urgencia del caso. Dése entrada y hágase como se pide. Trasíírese al Tribunal el sitio en el indicado y allí constituido, practíquese la Inspección Judicial a que se refiere. En cuanto a la designación de FOTOGRAFO y PRACTICOS, se hará en el acta a levantarse.

EL JUEZ PROVINCIAL.

EL SECRETARIO ACC.

Seguidamente se le de entrada bajo el N° 2329.-
el día de hoy, Treinta y Junio del dos mil, siendo las Diez y media de la tarde (02:30 p.m.), se trasladó el Tribunal, previa habilitación del tiempo necesario solicitado y acordado y a solicitud del Abg. FRANCISCO JESÚS VELASQUEZ ARCAI, inscrito en el I.P.S.A., bajo el No.54.892, en su carácter de Apoderado Judicial BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a la sede del Estacionamiento Guacara, ubicado en la calle las Delicias, Los Naranjos, en Guacara, Estado Carabobo, con el fin de practicar la Inspección Judicial solicitada y acordada. Constituido el Tribunal en el referido sitio, NOTIFICA de su misión a la ciudadana MARLENE DEL VALLE GUTIERREZ DE FREITES, presente allí, Venezolana, mayor de edad, titular de la Cédula de Identidad No. V-258,928, en su condición de Administradora del mencionado Estacionamiento. El Tribunal designa FOTOGRAFO y PRÁCTICO para que tomen fotografías y asesoren al Tribunal, a los ciudadanos MARJORIE ROSELL ORTEGA Y MIGUEL VALIIS FREITES RAMOS, presentes allí, venezolanos, mayores de edad, titulares de las Cédulas de Identidad N°s: V-12.606.141 y V-3.222.836, respectivamente, quienes impuestos a tales designaciones y de las Generales de Ley correspondientes, manifiestan su aceptación y prestan juramento. Seguidamente, el Tribunal procede a practicar la Inspección Judicial dicha y a su particular PRIMERO: se deja constancia, previo asesoramiento del Práctico, anteriormente designado y juramentado, que en el lugar donde se encuentra constituido el Tribunal, se encuentra un vehículo Marca: FORD; Modelo: EXPLORER XLT; Tipo: 4X4; Color: VERDE; Placas: MAZ-271; en cuanto al particular SEGUNDO: el Tribunal deja constancia previo asesoramiento del Práctico, anteriormente designado y juramentado, que el vehículo antes identificado tiene tres (3) cauchos instalados en sus rines, se observa igualmente que falta el caucho y rín delantero izquierdo; en cuanto al particular TERCERO: se deja constancia, previo asesoramiento del Práctico, anteriormente designado y juramentado, que el caucho DELANTERO DERECHO, es marca FIRESTONE; Tipo: WILDERNESS AT; serial Nº: EX4X BM1147; el caucho TRASERO DERECHO es marca FIRESTONE; Tipo: WILDERNESS AT; serial Nº: EX4X BM1147 y el caucho TRASERO IZQUIERDO, marca FIRESTONE; Tipo: WILDERNESS AT; serial Nº: EX4X BM1147; en cuanto al particular CUARTO: el Tribunal deja constancia, previo asesoramiento del Práctico antes
designado y juramentado, que las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado, es buena y se observa que la banda de rodamiento está completa; en cuanto al particular QUINTO: el Tribunal ordena a la FOTÓGRAFO antes designado y juramentado, tomar fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado; en cuanto al particular SEXTO: el Tribunal ordena a la FOTÓGRAFO antes designada y juramentada, tomar fotografías de la carrocería del vehículo objeto de esta Inspección Judicial y de las condiciones generales del vehículo; en cuanto al particular SÉPTIMO: el Tribunal, previo asesoramiento del PRÁCTICO, antes designado y juramentado, deja constancia que el vehículo objeto de esta Inspección Judicial presenta el techo hundido, hundimientos en el capó, guardafangos y puertas; En este estado, interviene el solicitante, ante el Juez, identificado, haciendo uso del Derecho de Reserva y expone: "solicito al Tribunal, se deje constancia del Kilometraje que presenta el vehículo inspeccionado; se interroga a la NOTIFICADA acerca de cual fue el motivo del ingreso a este estacionamiento del vehículo objeto de esta inspección y del estado en que se encuentran los dos (2) cauchos que están en la maleta del referido vehículo, así como su marca, tipo y serie". El Tribunal, vistiendo el pedimiento anterior, acuerda en conformidad lo solicitado y deja constancia, previo asesoramiento del PRÁCTICO, que el vehículo inspeccionado tiene SETENTA Y SEIS MIL DOSCIENTOS CUARENTA Y CINCO KIÓMETROS (76.245 Km) de rodaje. Igualmente, se hace constar que la NOTIFICADA antes identificada, manifestó, previo interrogatorio que el vehículo inspeccionado ingresó al estacionamiento donde se encuentra constituido el Tribunal, por accidente de Tránsito con volcamiento. Igualmente se hace constar, previo asesoramiento del PRÁCTICO, que los dos (2) cauchos que se encuentran en la maleta del vehículo inspeccionado, están rotos en los laterales producto de un impacto y sus bandas de rodamiento están en buen estado y son de marca FIRESTONE; Tipo: WILDERNESS AT; serial Nº: EX4X 3M11147. Se hace constar que las fotografías fueron tomadas al momento de practicar esta inspección Judicial por la FOTÓGRAFO anteriormente designada y juramentada, dichas fotografías se presentan con los otros elementos que se ordena agregar las mismas a estas pruebas.

EL JUEZ, 

LA NOTIFICADA,
SOLICITANTE(S) FRANCISCO JAVIER VELEZ ARREGA.

MOTIVO: INSPECCIÓN JUDICIAL.

JUZGADO: [Incompleto]

FECHA DE ENTRADA: Día 29 Mes 06 Año 2000

FECHA DEVOLUCIÓN: Día _________ Mes __________ Año _________
Ciudadano

JUEZ CUARTO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION

JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESÚS VELASQUEZ ARCAJ, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad N° 7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el N° 54.892, ante usted respetuosamente ocupo y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la
carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es gracia que espero en Valencia, en la fecha de su presentación.

[signature]

[Fecha: 29/06/00]
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SE DEVUELVE AL SOLICITANTE CONSTANTE DE NUEVE (9) FOLIOS ÚTILES, CONSTE HOY, CUATRO DE JULIO DEL AÑO DOS MIL.

EL SECRETARIO TITULAR:

ABG. JOSE LUIS KARU PACHECO.
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

No. (stamp) No. 0064

(round ink stamp - illegible)

PETITIONER(S): MILAGROS PEDRIGUE DE ALBENS, ASSISTED BY: MARIA KARELTS

ZOZAYA

REASON: JUDICIAL INSPECTION

COURT: IN AND FOR THE SEVENTH MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO

DATE OF ENTRY: Day: 20 Month: SEPTEMBER Year: 2000

DATE RETURNED: Day: Month: Year:

No. (stamp) No. 0064

C.22

PAL0017
STATE OF CARABOBO
(Seal)  
(illigible)
CA - 98 No. 04632916

Citizen
Assigning Judge in and for the Municipalities of Valencia, Libertador, Los Guayos, Naguanagua and San Diego in the Judicial District of the State of Carabobo
In his Office:

I, MILAGROS PEDRIQUE DE ALBERS, a citizen of Venezuela, of age, holder of Identity Card No. 9,804,189, a resident of this City, duly represented by attorney MARIA CARELYS ZOZAYA, holder of Identity Card No. 7,081,212, a practicing attorney and resident of this City, registered with the Venezuelan Bar Association under No. 30,056, respectfully appear in order to state: I ask this Court to be so kind as to be transferred and called into session at the establishment known as NUEVOS HORIZONTES J.A.M. CARS, C.A., located at No. 122-41, Avenida Bolivar Norte, next to the Chancery, in this City of Valencia, State of Carabobo, in order to place the following facts and circumstances on the record by means of a Judicial Inspection:

ONE: As to the identification of the legal entity on whose premises the Court has been called into session.

TWO: As to the identification of the individual who is in charge of or responsible for the establishment at which the Court has been called into session at the time this inspection is conducted.

THREE: That there is a vehicle that has been left at the establishment at which the Court is called into session, with the following characteristics: make: FORD, model: EXPLORER 4x4 SPORT WAGON, year: 1998, plates: GAR-782Z, color: WHITE, class: TRUCK, use: PRIVATE.

FOUR: I would ask this Court to state the tires on the vehicle for the record, they are make: FIRESTONE, model: WILDERNESS AT, and their characteristics are: P235-75R15 M/S and as to whether they are sealed with all purpose tape, made: Tessa, model: 5041-34, size: 10 m. x 48 mm. and with Masking Tape, a roll of corrugated paper, Make: Celoven 3450, and also whether said vehicle is covered with a black waterproof canvas, make: all purpose Lona leve.

FIVE: I would ask this Court to state the identification of the individual who is hereby going to proceed to remove the tires described in Item Four of this petition from the establishment at which the vehicle that is the subject of this inspection is located, .......

PAL0018
who is identified as follows:

Christian Name and Surname: DICK BAUMGARDNER
Nationality: North American
Passport Number: 045104920
Profession: Expert, President of the company known as Tire Consultants, I.N.C.

SIX: I ask the Court to take the statement of citizen, DICK BAUMGARDNER regarding the items that said citizen is going to verify at this inspection, and also that he make a statement on the identification of the tires that he is now going to proceed to take off the vehicle and ship from this establishment to the United States of America in order to prepare the pertinent expert's report for which he has been appointed.

SEVEN: I would ask this Court to state for the record any other fact or item that is requested at the time this Judicial Inspection is conducted.

I swear that this case is an emergency and I would ask the Court to set aside all of the time necessary to carry out all of the above, and once this has been done, that the original thereof be returned to me together with the results. In Valencia, on the twentieth day of the month of September, two thousand.

(Signed) (Illegible)

(Stamp)
RECEIVED TODAY, September 20, 2000
CONSISTING OF One (1) sheet of paper
(Stamp) (Illegible)
TIME: 10:10 a.m.
Acting Clerk
(Signed) (Illegible)

(Stamp)
REPUBLIC OF VENEZUELA
Seventh Court in and for the Municipalities of Valencia, Libertador
(Seal)
Los Guayos, Naguanagua and San Diego
In the Judicial District of the State of Carabobo

Submitter,
(Signed) (Illegible)

PAL0019
SEVENTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

VALENCIA, SEPTEMBER 20, 2000
190th Year of Independence and 141st Year of the Federation

Have received the foregoing petition, it is ordered that it be admitted and that the Court be transferred and called into session for such purpose at the location indicated by the petitioner, in order to conduct the Judicial Inspection requested in the petition that initiated this proceeding. Once the inspection has been conducted, it is ordered that it be returned to the petitioner with the results thereof.

DEPUTY JUDGE
(Signed) (Illegible)

[Stamp]
REPUBLIC OF VENEZUELA
Seventh Court in and for the Municipalities of Valencia, Libertador (Seal)
Los Guayos, Naguanagua and San Diego
In the Judicial District of the State of Carabobo

TEMPORARY CLERK
(Signed) (Illegible)

Admitted on this same date under No. 0064.

TEMPORARY CLERK
(Signed) (Illegible)

[Stamp]
REPUBLIC OF VENEZUELA
Seventh Court in and for the Municipalities of Valencia, Libertador (Seal)
Los Guayos, Naguanagua and San Diego
In the Judicial District of the State of Carabobo

[Illegible inkstamp]
1766

(Hand written) Seven (7)

(ilegible text reading only: 5171)

(Two illegible round ink stamps)
(Three illegible round ink stamps down right margin)

(partial round ink stamp in the center of the page)

...Republic of Venezuela
...Coat of Arms

PAL0030
At 1:40 in the afternoon today, the twentieth day of September in the year two thousand, the Court, accompanied by citizen, MILAGROS PEDRIQUE DE ALBERS, holder of Identity Card No. V-9,804,189, assisted by Attorney MARIA CARELYS ZOZAYA, registered with the Venezuelan Bar Association under No. 35,056 was transferred and called into session at No. 122-41, Avenida Bolívar Norte, next to the Chancery, where the body and paint shop "Nuevos Horizontes, J.A.M. CARS, C.A." does business, in the Parish of San José, Municipality of Valencia, in the State of Carabobo, in order to conduct the Judicial inspection requested in the petition that initiated this proceeding. Present was citizen GUSTAVO JOSE LABRADOR RONDON, holder of identity Card No. V-7,048,153, in his capacity as Manager of the Nuevos Horizontes J.A.M. CARS, C.A. shop, whom the Court served with a subpoena for its mission. The Court then placed the following items on the record: ITEM NO. ONE: With regard to this item, it was stated for the record that the corporate entity on whose premises the Court had been called into session was the commercial establishment known as "NUEVOS HORIZONTES J.A.M., CARS., C.A." ITEM NO. TWO: The Court stated for the record that the person who was in charge of the establishment at which it had been called into session was citizen: GUSTAVO JOSE LABRADOR RONDON, identified at the beginning of this report. ITEM NO. THREE: The Court stated for the record that a vehicle with the following characteristics: make: FORD, Model: EXPLORER 7A8 SPORT WAGON, year: 1998, plates: GAR-78Z, Color: WHITE, class: TRUCK, use: private, had been left at the establishment at which it had been called into session. ITEM NO. FOUR: The Court stated for the record that the tires on the vehicle identified in the preceding item were: make: FIRESTONE, model: WILDERNESS AT, and they had the following characteristics: P235-75RL5 M-S, and these were sealed with all-purpose tape, make: Tesa, model: 5041-34, size: 10 m x 48 mm. and with masking tape, a roll of corrugated paper .........
make: Celoven 3450; it was also stated for the record that the vehicle was covered with a piece of black waterproof canvas, make: all-purpose Lenoile. ITEM NO. FIVE: The Court stated for the record that also present at the inspection was citizen: DICK BAUMGARDNER, a citizen of the United States of North America, holder of passport No. 045104920, an expert by profession, and President of the Company Tire Consultants, I.N.C., who then proceeded to remove a tire from the vehicle described in item No. Three of this Inspection for shipment to the United States of North America, in order to perform the expert examination of same for which he had been appointed. ITEM NO. SIX: The Court then stated for the record that citizen, DICK BAUMGARDNER, who was identified above, thereupon stated that the hidden serial number identifying the tires on the vehicle that was the subject of this inspection was No. F-17248-L01. ITEM NO. SEVEN: I ask the Court to appoint an expert photographer to take some photographs of the items described herein. The Court then appointed citizen, WUILLIAM (sic) OJEDA, holder of identity card No. V-8,830,286 as the expert photographer, and being present, he accepted the assignment, was sworn in as provided by Law and proceeded to take some photographs of the various items that were inspected; it was ordered that once these are developed, they be added to this record, to better illustrate same. Completed, read and signed by the undersigned, who were in agreement therewith.

DEPUTY JUDGE
(Signed) (Illegible)

(STAMP) (Illegible)

PETITIONER
(Signed) (Illegible)

SUBPOENAEED PARTY
(Signed) (Illegible)

HER ATTORNEY
(Signed) (Illegible)

ACTING CLERK
(Signed) (Illegible)
STATE OF CARABOBO
(Seal)
(Illegible)

CA – 96 No. 04622901

(This page is hand written)

During office hours today, September 28, 2000, the undersigned attorney, Maria Zozaya, a citizen of Venezuela, holder of Identity Card No. 7,081,212, registered with the Venezuelan Bar Association under No. 35,056, appears before you and states: I would request a certified photocopy of the Judicial Inspection that was conducted. I then sign the requested item before the Clerk, who authorizes me to sign it. That is all.

Acting Attorney
(Signed) (Illegible)

Clerk
(Signed – illegible)
(Stamp)
(Illegible)

PAL0033
SEVENTH COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

VALENCIA, SEPTEMBER 28, 2000

Having reviewed the foregoing request, it is agreed to grant same and to this end, it is ordered that the requested certified copy be issued, as provided by Article 112 of the Code of Civil Procedure and Article 120 of the Public Records Law, and citizen, Ana Pacheco, is appointed to obtain same, and she will sign such page and at the bottom thereof, together with the Clerk. DONE AND ORDERED.

DEPUTY JUDGE

(Signed) (Illegible)

(Stamp - Illegible)

ACTING CLERK

(Signed) (Illegible)

(Stamp) (Illegible)

(Hand written)

Today, the third day of October in the year two thousand, this petition was returned to the party concerned with the results thereof, consisting of nine (9) sheets of paper.

ACTING CLERK

(Signed) (Illegible)

(Stamp) (Illegible)
NOTE:
This cover sheet must be used to cover the last sheets of paper in a file.
The purpose thereof is to protect the Documents and avoid any wear and tear thereof.

Model C-30
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 0064, dated September 20, 2000, concerning an inspection of the Ford Explorer with plates numbered GAR-782, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosario
Notary Public
State of Florida

[Seal] My commission expires: 1/9/03
REPÚBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE(S)  MILAGROS PEDRÍTEZ DE ALBERE. ASITTA DA. MARIA NAELUE
ZOTA,

MOTIVO  INSPECCION JUDICIAL

JUDICADO  SEPTIMO DE LOS MUNICIPIOS, VALENCIA DEL EDO. CARACAS

FECHA DE ENTRADA: Día _______ Mes _______ AÑO _______

FECHA DEVOLUCIÓN: Día _______ Mes _______ Año _______
Cuidados

Juez Distribuidor de los Municipios Valencia, Libertador, Los Guayos, Naguanagua y San Diego de la 
Circunscripción Judicial del Estado Carabobo

Su Excmo.

Yo, MILAGROS PEDREGO DE ALBERDE, vecina de la Cédula de Identidad No. 9.804.269, y de este domicilio, debidamente autorizada por la abogada,

MARIÁN CARLEYS ZOZA, titular de la Cédula de Identidad No. 7.681.212, abogada en ejercicio de este domicilio, en este, en el juzgado ubicado bajo el N°. 33, Oficina nueve, respectivamente acudo a fin de exponer: Solicitud de este Tribunal se sirva transmitir y colocar en el establecimiento denominado NUEVOS HORIZONTES J.A.M. CAJ. C.A., ubicado en la Avenida Bolívar Norte, N°. 122-41, al lado del Restaurante, en esta ciudad de Valencia, Estado Carabobo, a objeto de que por esta vía de Impresión Judicial deje constancia de las siguientes hechos y circunstancias:

1. **PRIMERO:** De la identificación de la persona jurídica en cuyo se encuentra constituido el Tribunal.

2. **SEGUNDO:** De identificación de la persona natural que para el momento de la práctica de esta impresión se encuentra como encargada o responsable del establecimiento donde se encuentra constituido el Tribunal.

3. **TERCERO:** Que en el establecimiento en el cual se encuentra constituido el Tribunal se encuentra depósito del vehículo automotor con las siguientes características: Marca: FORD; modelo: EXPLORER YAS SPORT WAGON, año 1999; placa: 923.992; color: BLANCO, clara.

4. **CUARTO:** Solicitud del Tribunal se deje constancia de los cuerpos que posea el vehículo automotor.

5. **QUINTO:** Solicitud del Tribunal se deje constancia de identificación de la persona natural que va a pronunciarse en este acto a revisar el establecimiento en el cual se encuentra el vehículo automotor.

Depone de sus juramento los cuerpos dispuestos en el particular Corte de esta solicitud, siendo su

PAL0018
idéntificaciones las siguientes:

Nombre y Apellido: DICK BAUNGARDNER
Nacionalidad: Noruego
Número de Pasaporte: 04510000
Profesión: Expert, Presidente de la empresa Tex Committee, LNC

SEÑOR: Solicito que el Tribunal se sirva impartir declaración al ciudadano DICK BAUNGARDNER, de las actas que dicho ciudadano va a verificar en este acto, así como también declare sobre la identificación de los encubiertos que en este momento va a proceder a retirar del vehículo y a tratar de este establecimiento hacia las Estados Unidos de Norteamérica para realizar la exportación pertinente por la cual han sido designados.

SEÑORA: Solicito que el Tribunal se deje constancia de cualquier otra circunstancia o particular que se solucione al momento de la práctica de esta impresión judicial.

Para la subsanación del caso y solicitud del Tribunal habilita todo el tiempo necesario para la práctica de las presentes actas, y una vez practicadas las mismas me sean devueltas original con sus resultados. En València a los veinte días del mes de septiembre del dos mil.

[Signature]

[Signature]

[Signature]
CABO SEPTIMO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS CUITOS, NAUCAPACUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBO.

VALENCIA, SEPTIEMBRE 20 DE 2000
1908 y 1418

Por recibida la anterior solicitud. Désele entrada, a tal efecto se ordena el traslado y constitución del Tribunal en el sitio que indique el solicitante, a fin de practicar la Inspección Judicial a que se contra la solicitud que encabeza estas actuaciones. Una vez practicadas las mismas, devuélvanse al postulante original con sus resultados.

LA SECRETARIA TEMPORAL

En la misma fecha se le dio entrada bajo el No 0064.

LA SECRETARIA TEMPORAL

PAL0020
Hoy, veinte de Septiembre del Año Dos Mil, siendo las 1:40 de la tarde, se trasladó y constituyó el Tribunal en la Avenida Bolívar Norte, Nº 122-41, al lado del Rectorado, donde funciona el Taller de Latonería y Pintura "Nuevos Horizontes", J.A.M. C.A., Parroquia San José, Municipio Valencia, Estado Carabobo, en companyía de la ciudadana: MILAGROS PEDRIQUE DE ALBERS, titular de la Cédula de Identidad Nº V- 9.804.189, asistida por la Abogada MARIA CARELYS ZOZAYA, inscrita en el instituto de Previsión Social del Abogado bajo el Nº 35.056, con el fin de practicar la Inspección Judicial a que se contrae la solicitud que encabeza estas actuaciones. Presente el ciudadano: GUSTAVO JOSE LABRADOR RONDON, titular de la Cédula de Identidad Nº V- 7.048.153, en su carácter de Gerente del Taller Nuevos Horizontes J.A.M. C.A., a quien el Tribunal le impuso de su misión. Seguidamente el Tribunal deja constancia de los siguientes particulares: PRIMERO: En cuanto a este particular se deja constancia que la persona jurídica en cuya sede se encuentra constituido el Tribunal es en el Establecimiento Comercial "NUEVOS HORIZONTES J.A.M., C.A." SEGUNDO: El Tribunal deja constancia que la persona que se encuentra como encargada del establecimiento donde se encuentra constituido el Tribunal, es el ciudadano: GUSTAVO JOSE LABRADOR RONDON, identificado al comienzo de esta acta. TERCERO: El Tribunal deja constancia de que en el establecimiento donde se encuentra constituido, está depositado el vehículo automotor con las siguientes características: Marca: FORD, Modelo: EXPLORER 750 SPORT WAGON, Año: 1.998, Placa: GAR-782, Color: BLANCO, Clase: CAMIONETA, Uso: PARTICULAR. CUARTO: El Tribunal deja constancia, que los cauchos que posee el vehículo antes identificado en el particular anterior son: Marca: FIRESTONE, Modelo: WILDERNESS AT, y los cuales poseen las siguientes características: P235-75R15 M+S, los cuales se encuentran precintados con cinta multiuso, marca Tessa, Modelo 5041-34, medidas 10m-48 m.m., y con Marking Tape, rollo de papel...
crespón, marca calendón 3630, se deja igualmente constancia de que el vehículo se encuentra cubierto con una lona impermeable de color negro, marca lonaileve multiuso. QUINTO: El Tribunal deja constancia que igualmente se encuentra presente en este acto el ciudadano: DICK BAUMGARDNER, de Nacionalidad Norteamericano, número de pasaporte 045104920, de Profesión Experto, Presidente de la Empresa Tire Consultants, I.M.C., quien en este momento procede a retirar un caucho del vehículo descrito en el particular Tercero de esta Inspección para trasladarlo hacia los Estados Unidos de Norteamérica, a fin de realizar la experticia pertinente para lo cual fue designado.

SEXTO: Seguidamente el Tribunal deja constancia que el ciudadano DICK BAUMGARDNER, anteriormente identificado, manifiesta en este acto que el serial oculto Nº F-17Z48-LO1, es el que identifica a los cauchos que posee el vehículo automotor objeto de la presente inspección. SEPTIMO: Pido al Tribunal designe un práctico fotógrafo, para que tome algunas fotografías de los particulares aquí descritos. Seguidamente el Tribunal designe como práctico fotógrafo al ciudadano: WILLIAM OJEDA, titular de la Cédula de Identidad Nº V- 8.830.286, quien estando presente acepta el cargo, presta el juramento de Ley y procede a tomar algunas fotografías de los diferentes aspectos inspeccionados, y ordena que una vez reveladas sean agregadas a estas actuaciones, para una mejor ilustración de las mismas. Se termina, se lee y conforme...

EL NOTIFICADO

SU ABOGADO ASISTENTE

LA SECRETARIA ACCIDENTAL

PAL0032
GADO SEPTIMO DE LOS MUNICIPIOS VALENCIA, LIBERDADOR, LOS GUAYOS, MAGUAMAGIA Y SAN
DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARACAS.

VALENCIA, SEPTIEMBRE 28 DE 2000

Vista la diligencia que antecede, se acuerda de conformidad lo solicitado, a tal efecto se ordena expedir la copia certificada solicitada, de conformidad con lo establecido en el Artículo 112 del Código de Procedimiento Civil, y 120 de la Ley de Registro Público, se designa para la obtención de la misma, a la ciudadana Ana
Veches, quien conjuntamente con la Secretaria firmará en cada una de sus páginas y al pie de la certificación. Librese lo conducente.

LE JUEZ EXPULENTE

LA SECRETARIA ACCIDENTAL

[Signature]

[Signature]

[Signature]

[Signature]

PAL0034
CONSEJO DE LA JUDICATURA

NOTA:

Este conojo debe ser utilizado para cubrir los diferentes folios que conforman un expediente.

Su finalidad es proteger los documentos, evitando el deterioro.

Modelo C-36

PAL0035
1790

REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

No. 6044

PETITIONER(S): Milagros Pedregue de Albers

REASON: Judicial Inspection

COURT: First Municipal Court of Valencia

DATE OF ENTRY: Day: 05 Month: September Year: 2000

DATE RETURNED: Day: Month: Year:

No. 6044
Citizen

FIRST JUDGE IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

In his office

I, MILAGROS PEDRIQUE DE ALBERS, a citizen of Venezuela, of age, a widow, and holder of Identity Card No. 9,804,189, duly represented in this cause by attorney LEONARDO GARCIA FLORES, holder of identity card No. 7,128,817, registered with the Venezuelan Bar Association under No. 74,057, on my own behalf and to protect my own rights, appear before Your Honor in order to state: I would ask this Court to be transferred and called into session at the establishment known as “NUEVOS HORIZONTES J.A.M. CARS, C.A.” located at No. 122-41, Avenida Bolivar Norte next to the Chancery, in this City of Valencia, State of Carabobo, in order to place a statement on the record as to the following facts and circumstances by means of a Judicial Inspection:

ONE: The identification of the legal entity on whose premises the Court has been called into session.

TWO: The identification of the individual who is in charge of or responsible for the establishment at which the Court has been called into session at the time the inspection takes place.

THREE: That there is a vehicle that has been left at the establishment at which the Court has been called into session, described as follows: MAKE: Ford; MODEL: Explorer 7A8 Sport Wagon; YEAR: 1998; PLATE: GAR-78Z; ENGINE SERIAL NUMBER: W-A28557; CHASSIS SERIAL NUMBER: AJ63WP; COLOR: White; CLASS: Truck; USE: Private.

FOUR: As to the condition of the vehicle described above, and I request that an expert be appointed to assist the Court for this purpose and to make a technical report on the condition thereof.

PAL0037
That a statement be made on the record as to the tires on the vehicle and that they be identified by serial number, make, model, characteristics and condition.

I request that the tires described above be sealed by the Court, to ensure that they cannot be removed from the truck without breaking the seal affixed thereto. I also request that a statement be made on the record as to the seal used and that it be clearly identified.

I request that the vehicle described above be covered and sealed by the Court to ensure that it cannot be removed or maneuvered without breaking the seal affixed to it. In addition, I request that a statement be placed on the record as to the seal used and that it be clearly identified.

That a statement be placed on the record as to the date on which the person in charge or representative of the premises at which the Court has been called into session said that the above-described truck arrived at these premises, and where it was brought in from and how it was transported.

That a statement be placed on the record as to whether the person in charge or the representative at the premises at which the Court has been called into session said that any accessory or part of the vehicle was removed or changed.

As to any other circumstance or item that is requested at the time the inspection is conducted.

We ask the Court to appoint an expert photographer to assist the Court for purposes of conducting this Judicial Inspection and in order to place a graphic statement of the facts and findings on the record.

Lastly, I state under oath that this matter is an emergency and I would ask the Court to be so kind as to set aside all of the time needed for conducting this inspection, and that once it has been conducted, the original thereof be returned to me together with the results thereof.

In Valencia, on the date of the filing hereof.

(Signed) Milagros Pedrique
(Signed) (Illegible)
The foregoing petition was submitted for filing by the signatory thereto today.

September 5, 2000 at Ten o'clock, consisting of 01
Sheets of paper and Fees exhibits ----

The signatory
(Signed) (illegible)

Her attorney
(Signed) (illegible)

Clerk
(Signed) (illegible)

(Stamp)
REPUBLIC OF VENEZUELA
FIRST COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Seal)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

PAL.0039
At 2:50 P.M. today, the fifth (5th) day of September, in the year two thousand, the Court, having set aside the necessary time, since it was requested and granted, was transferred to and called into session at the establishment known as "Nuevos Horizontes J.A.M. Cars, C.A.,” located at No. 122-41 Avenida Bolívar Norte, next to the University of Carabobo Chancery, in the Jurisdiction of the Parish of San José, Municipality of Valencia in the State of Carabobo, in order to conduct the Judicial Inspection requested and agreed to. Citizen, Milagros Pedrique de Albers, of age, holder of identity card No. 9,804,189, was present in her capacity as the petitioner, duly represented by attorney, Leonardo García Flores, who is registered with the Venezuelan Bar Association under No. 74,057. Citizen Christian Vicente Hugo Peña, of age, holder of identity card No. V-1,366,511, a resident of this City, was appointed as the expert, and being present, he accepted the assignment and was sworn in as provided by Law. It was stated for the record that the expert identified above is a professional expert and is registered with the Ministry of Finance under No. 1,398. Citizen, Héctor Alfonso Mercado Medina, of age, holder of identity card No. V-11,396,192, and a resident of this City, was appointed as the photographer and being present, he accepted the assignment and was sworn in as provided by Law. Citizen, Gustavo José Labrador Rondón, of age, holder of identity card No. V-7,098,153, a resident of this City, was present and he was served with a subpoena for the Court’s mission in his capacity as the Manager of “Nuevos Horizontes J.A.M. Cars, C.A.” The Court next proceeded to conduct the Judicial Inspection.
as follows: With regard to ITEM NO. ONE: The Court stated for the record that the subpoenaed party identified above showed the Court a copy of the Articles of Incorporation of the commercial company "Nuevos Horizontes J.A.M. Cars, C.A." at whose corporate premises the Court had been called into session, and it was stated for the record that said document was recorded with the Office of the First Commercial Register in and for the Judicial District of the State of Carabobo, under No. 79, Volume 71A, on the 19th day of August, 1998. With regard to ITEM NO. TWO: The Court stated for the record that citizen, Gustavo José Labrador Rondón, of age, holder of identity card No. V-7,098,153, and a resident of this City, was present at the establishment at which it had been called into session, in his capacity as Manager of "Nuevos Horizontes J.A.M. Cars, C.A.". With regard to ITEM NO. THREE: The Court, with advice from the expert who had been appointed, stated for the record that a vehicle, make: Ford, model: Explorer 7A8 Sport Wagon; year: 1998, plate: GAR-78Z, engine serial number W-A28557; chassis serial number: AJ63WP; color: white, type: truck, use: private. With regard to ITEM NO. FOUR: The Court, with advice from the expert who had been appointed, stated for the record that the condition of the above-described vehicle was as follows: 1) Front bumper, spoiler and its bases, front assembly, (steering column and spindles, rear bumper, tire and [wheel] bases, front inside vents, left and right headlights, left and right parking lights, left and right brake lights, left and right mirrors, inside rear view mirror, all of the windows, the hood, the front and rear mudguards, doors on the left side, the roof, the roof vent, the inside upholstery on the roof, the upholstery on the doors on the left side, the trimmings over the left rear mudguard, the upholstery on the rear hatch door, the rear hatch door, ........
The windshield wipers (two front and one rear), the left and right running boards, four (4) tires, two front rims, left and right door frames, dashboard, steering wheel and its air bag, blades and windshield wipers, plates, mudguard covers; the Court stated for the record that all of the above were noted to be wrecked and broken. 2) The doors on the right side were dented and buckled; 3) general misalignment of the bodywork; chassis was buckled; 4) Seat upholstery was stained; 5) there may be hidden damage. With regard to ITEM NO. FIVE: Upon advice from the expert who had been appointed, the Court stated for the record that the tires on the vehicle that is the subject of this Inspection are: Make: FIRESTONE; model: WILDERNESS AT, description: P235/75R15 M/S; it was noted that the front tires and the rear left tire were ruined and just from looking at them, the tread was in good condition, i.e., with a useful life; it was also stated for the record that the rear right tire was missing its tread; it was noted that the spare tire was in perfect condition and had never been used. With regard to ITEM NO. SIX: The Court stated for the record that the four (4) tires on the truck, with the exception of the spare tire, were sealed with all purpose tape make: Tesa model 5041-34, size: 10 m./48 mm. and with masking tape, a roll of crepe paper make: Caloveo, 3450, size: 18 mm. x 45 m./3/4” x 50 yards. It was also stated for the record, that the Court’s wet seal was not stamped on the roll of crepe paper mentioned above. With regard to ITEM NO. SEVEN: The Court stated for the record that the vehicle that is the subject of this Inspection was covered with a piece of black waterproof canvas .......

PAL0043
make: all-purpose Conaleve; sealed with the tape described in the preceding item and tied down with string to ensure the canvas was waterproof. With regard to ITEM NO. EIGHT: The Court stated for the record that the subpoenaed party advised the Court that the vehicle that is the subject of the inspection arrived at the premises of the establishment at which the Court had been called into session on May 25 this year, that it was brought in from the State of Aragua and was transported aboard a tow truck. With regard to ITEM NO. NINE: The Court stated for the record that the subpoenaed party said that no accessory or any part of the vehicle that is the subject of this inspection has been removed or changed, and he stated that it was just as it was when it was brought in. With regard to ITEM NO. TEN: The petitioner, with the help of the attorney representing her, stated: "Exercising the reservation contained in this item, I would ask the Court to state for the record that the seals were affixed in its presence, just as requested in items Six and Seven." The Court, having reviewed this request, stated for the record that the seals affixed to the vehicle that is the subject of this inspection, were affixed in the Court's presence, exactly as set forth in Items Six and Seven of this inspection report. That is all.

Complained at 4:40 p.m., it being stated for the record that the photographer who has been appointed proceeded to take photographs of everything that had been inspected, and asked the Court to grant him twenty-four (24) hours within which to deliver the photographs once they had been duly developed; this was agreed to. This report was read, and it was signed by those below, who are in agreement therewith. The part that is struck out on line 38 of the (illegible) previous sheet of paper, between "Office" and "of the" is not included (illegible) "sealed" is OK.

(Stamp)

REPUBLIC OF VENEZUELA

Provisional Judge
(Signed) (illegible)

Petitioner
(Signed) (illegible)

PAL0044
CITIZEN

FIRST JUDGE IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, NAGUANAGUA AND SAN DIEGO IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

In his office

I, HECTOR MERCADO MEDINA, a citizen of Venezuela, of age, holder of identity card No. 11,346,192, am appearing before your Honor in order to deliver Forty (40) photographs on fifteen sheets of paper, taken at the Judicial Inspection conducted on September 5 of this year; I am hereby fulfilling the assignment I was given.

In Valencia, on the date of the submission hereof.

(Signed) (Illegible)

(Stamp)

The foregoing pleading was submitted for filing by the signatory thereto today.

September 6, 2000 during the day, consisting of 15 Sheets of paper (40 photographs) and Fees ______ ----

Submitter,

(Signed) (Illegible)

(Stamp)

REPUBLIC OF VENEZUELA

(ilegible)

Clerk,

(Signed (Illegible)
FIRST COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR, LOS GUAYOS, SAN DIEGO AND NAGUANAGUA IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO.

Valencia, September 6, 2000
190th Year of Independence and 141st Year of the Federation

Having reviewed the foregoing pleading filed by citizen, HECTOR MERCADO MEDINA, in his capacity as court-appointed photographer, in which he delivered the photographs taken at the inspection conducted on the 5th of this month, it is ordered that they be added to the record.

PROVISIONAL JUDGE, CLERK,
(Signed) (illegible) (Signed) Betty (illegible) de (illegible)

(REPUBLIC OF VENEZUELA)
FIRST COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

Agreed.

THE CLERK,
(Signed) Betty (illegible) de (illegible)

(Hand written) Returned to the party concerned, consisting of twenty-three (23) sheets of paper.

Clerk,
(Signed) Betty (illegible) de Rivera
First Court in and for the Municipalities of Valencia, Libertador, Los Guayos, San Diego and Naguanagua in the Judicial District of the State of Carabobo.

Valencia, September 6, 2000
190th Year of Independence and 141st Year of the Federation

Having reviewed the foregoing pleading filed by citizen, HECTOR MERCADO MEDINA, in his capacity as court-appointed photographer, in which he delivered the photographs taken at the Inspection conducted on the 5th of this month. It is ordered that they be added to the record.

PROVISIONAL JUDGE,
(Signed) (Illegible)

(Hand written) Twenty-three
(Stamp to right – illegible)

RELATURA OF VENEZUELA
FIRST COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Sud)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

Agreed.

THE CLERK,
(Signed) Betty (illegible) de (illegible)

(Hand written) Returned to the party concerned, consisting of twenty-three (23) sheets of paper.

Clerk,
(Signed) Betty (illegible) de Rivero

PAL0063
(Three partial stamps down left margin)
OF VENEZUELA
(Illegible)

(Two stamps in middle of page):
REPUBLIC OF VENEZUELA
FIRST COURT IN AND FOR THE MUNICIPALITIES OF VALENCIA, LIBERTADOR
(Soil)
LOS GUAYOS, NAGUANAGUA AND SAN DIEGO
IN THE JUDICIAL DISTRICT OF THE STATE OF CARABOBO

(Two photographs)
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 6044, dated September 5, 2000, concerning an inspection of the Ford Explorer with plates numbered GAR-78Z, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
REPUBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE:  Híago Pedago de Alber

MOTIVO:  Inacción judicial

JUZGADO:  Cíncero de los Municipio Valencia

FECHA DE ENTRADA:  Dia 05  Mes 01  Año 2000

FECHA DEDEVOLUCIÓN:  Dia 05  Mes 01  Año 2000
Peligro:

HACE PRIMERO DE LOS MINISTERIOS VALENCIA, LIBERTADOR, LOS
GUAYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN
JUDICIAL DEL ESTADO CARABobo.

Su Demanda:

Yo, MILAGROS PEDRIZ DE ALBENS, vecina de esta villa, de edad y
vista, titular de la cédula de identidad Nº 8.814.180, debidamente asistida en
este acto por el Abogado LEONARDO GARCIA FLORES, titular de la cédula
de identidad Nº 7.128.817, inscrito en el Instituto de Previsión Social del
Abogado bajo el Nº 74.057, procediendo en mi propio nombre y por mis
propios derechos, ante tu competente autoridad ocurre para exponer: Solicitud
a este Tribunal se sirva trasladar y constituirse en el establecimiento
denominado "NEUROS HORIZONTE J.A.M. CARE, C.A.", ubicado en la
Avenida Bolivar Norte, Nº 120-41, al lado del Rectángulo, en esta ciudad de
Valencia, Estado Carabobo, a objeto de que por vía de Instrucción Judicial deje
constancia de los siguientes hechos y circunstancias:

PRIMERO: De la identificación de la persona jurídica en cuya sede se
encuentra constituido el Tribunal.

SEGUNDO: De la identificación de la persona natural que para el momento de
la práctica de la inspección se encuentra como encargada o responsable del
establecimiento donde se encuentra constituido el Tribunal.

TERCERO: Que en el establecimiento donde está constituido el Tribunal se
encuentra estacionado el vehículo automotor con las siguientes características:

- MARCA: Ford
- MODELO: Explorer 718 Sport Wagon
- AÑO: 1998
- PLACA:...
- SERIAL DE MOTOR: W4UB657
- SERIAL DE CARROCERIA: ...
- COLOR: Blanco
- CLASE: Camioneta
- USO: Particular

CUARTO: De las condiciones en que se encuentra el vehículo automotor
identificado, para lo cual solicito se designe experto o técnico
competente al Tribunal, que informe tématicamente de las condiciones en que se
encuentra.
QUINTO: Se deja constancia de los cauchos que posee el vehículo automotor y se identifican los suelos, marcas, modelos, características y condiciones.

SEXTO: Solicito que los cauchos anteriormente identificados sean pruebados por el Tribunal, asegurándose que los mismos no puedan ser extraviados, manipulados o violados, sin violar el pacto que se rige. Así, mismo solicito se deje constancia del precio utilizado identificándose claramente.

SEPTIMO: Solicito que el vehículo anteriormente identificado sea cubierto, protegido y asegurado por el Tribunal, asegurándose que el mismo no pueda ser trasladado o manipulado sin violar el pacto que se rige. Así, mismo se deje constancia del precio utilizado, identificándose claramente.

OCTAVO: Se deje constancia, según el dictado del encargado o representante del local donde se encuentra constituido el Tribunal, de la fecha en que llegó la camioneta anteriormente identificada a ese local, del lugar de donde proviene y cómo fue trasladada.

NOVENO: Se deje constancia, según el dictado del encargado o representante del local donde se encuentra constituido el Tribunal, si el vehículo anteriormente descrito se fue sustraído y cambiado algún accesorio o cualquier parte del mismo.

DÉCIMO: De cualquier otra circunstancia o particular que se expulse, momento de la práctica de la inspección.

Solicito al Tribunal que a los efectos de la práctica de la presente inspección Judicial y para poder dejar constancia gráfica de los hechos y circunstancias constatados, se designe práctico fotógrafo que asista al Tribunal.

Por último, juro la urgencia del caso, y ruego al Tribunal se sirva habilitar todo el tiempo necesario para la práctica de la presente inspección, y que una vez practicada la misma se sea devuelta en original con sus respectivas resultados.

En Valencia, a la fecha de su presentación.

[Signature]

PAL0038
Juzgado como es visto la urgencia del caso y en virtud de que los Tribunales en desarrollo de acciones judiciales, se facilita el tiempo necesario para sesiones, por recibida la anterior solicitud presentada por la subdelegada en el Juzgado de lo Contencioso-Administrativo del dueño de los bienes.

El Jueza: Mario Pérez de Almendro asistida por el Abogado: Leonardo García.

Según, se dicta el siguiente orden en todas sus partes. En consecuencia, trasladado e constituido el Tribunal, se dicta el siguiente en el escrito, a los fines de practicar la inspección solicitada, faltando que sean estas diligencias concluyentes el intercambio original junto con sus resultas.

La Secretaria.

[Signature]

DE LA misma fecha en el Juzgado bajo el no 65/4.

[Signature]

LA SECRETARIA.
no.

La fecha de lo escrito es el día 10 de octubre de mil ochocientos noventa y nueve. A las 10:00 p.m., para la celebración del acto judicial, se abre el proceso ante el juzgado de lo civil número 10 de esta ciudad de Bogotá. En el acto, el juez dicta con fuerza de ley el siguiente veredicto:

El juez determina que la sentencia sea impartida a la parte demandada, en el momento de la lectura de la sentencia, se vuelve a escuchar el veredicto, seguido de la firma del juez. La sentencia se encuentra en el archivador judicial.
capilla, impresa sobre (de blanco y con tonos) en
blanco, impresa sobre (de blanco y con tonos) en

CA-98 N° 04540089

1811
PAGO PRIMERO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS GUAVEROS, SAN DIEGO Y NABUANAGUA DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO CARABOBO.

Valencia. 06 de Septiembre del 2.000

Visto el anterior escrito presentado por el ciudadano: HÉCTOR MERCADO MEDINA, en su carácter de "Protésico" designado, por el cual consigna las fotocopiadas tomadas con motivo de la Inspección realizada en fecha 05 de los corrientes. Acompáñese a los autos.

LA SECRETAIRIA,

[Se firma]

[Se apoya]

LA SECRETARIA,

[Se firma]

[Se apoya]

[Se apoya]
1833

REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

[handwritten]: - 00

No. 115-2000

PETITIONER(S): ARMANDO CANIZALES

REASON: JUDICIAL INSPECTION

COURT: SECOND COURT IN AND FOR THE MUNICIPALITY OF HERES

DATE OF ENTRY: Day: NINE (09) Month: OCTOBER Year: 2000

DATE RETURNED: Day ______________ Month ______________ Year ______________

No. (handwritten): - 00
(Hand written number in margin – 115-00)

Citizen:
SECOND JUDGE FOR THE MUNICIPALITY OF HERES IN THE FIRST CIRCUIT OF THE
JUDICIAL DISTRICT OF THE STATE OF BOLIVAR
In his Office:

I, Armando Castillo, a citizen of Venezuela, of age, domiciled in Ciudad Guayana, State of Bolívar, holder of national identity card No. 13,521,437, a practicing attorney, registered with the Venezuelan Bar Association ("INPREGABOGADO") under No. 79,937, appearing herein on my own behalf, respectfully appear before you and state: For legal purposes that are of interest to me and in accordance with Articles 936 and 938 of the Code of Civil Procedure and Article 1,429 of the Civil Code, I request that the Court be transferred and constituted at the address that I will indicate in due course, in order to issue a statement for the record on the following items by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford, Model: Explorer, of the Type, Color and Plates of the vehicle being inspected.

TWO: As to whether the vehicle described above has a tire fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the vehicle being inspected.

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and of their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and the condition of the inspected vehicle.

SEVEN: That a statement be issued for the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstance that I reserve the right to indicate in due course.

(Initials – illegible)
Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any others that I expressly reserve the right to name at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state on the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection, and I therefore expressly request that said photographs be included in this Judicial Inspection. I swear under oath that this matter is an emergency and I request that, as provided in article 192 of the Code of Civil Procedure, the necessary time be set aside for the above procedures.

Lastly, I request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting that this petition will be granted, in Ciudad Bolivar, on the date of the submission hereof.

(Signed) (Illegible)

(Stamp)
Filed in person by the signatory
today, October 9, 2000, at 8:45 a.m.
consisting of two sheets of paper.
The Clerk
(Signed) (Illegible)
(Stamp)
REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT OF THE STATE OF BOLIVAR
FIRST CIRCUIT
(Seal)
SECOND COURT IN AND FOR THE MUNICIPALITY OF HERES
BOLIVARIAN REPUBLIC OF VENEZUELA SECOND COURT IN AND FOR THE MUNICIPALITY OF HERES IN THE FIRST CIRCUIT OF THE JUDICIAL DISTRICT OF THE STATE OF BOLIVAR - Ciudad Bolívar, on the ninth day of October, two thousand.

190th year of Independence and 141st year of the Federation

Having reviewed the foregoing petition filed by ARMANDO CAÑIZALES CASTILLO, a practicing attorney, registered with the Venezuelan Bar Association under No. 79,937, a resident of Ciudad Guayana, State of Bolivar, who is appearing on his own behalf and has sworn under oath to the setting aside of the necessary time, it is agreed as follows:

That the petition be duly processed;

That the petition be admitted and entered in the receiving book.

In order to conduct the JUDICIAL INSPECTION requested, it is agreed to Transfer and Constitute the Court at the location indicated by the Petitioner and two o’clock in the afternoon (02:00 p.m.) on October 9, 2000 is scheduled for same. Once this has been done, it is agreed that the original shall be returned with the results thereof, with an annotation thereof made in the Office log and a copy thereof deposited in the Court’s records.

The Judge
(Signed – illegible)
Carlos E. Sanchez Morales
(Stamp)

The Clerk (Temporary)
(Signed – illegible)
Attorney Rosanna Di Blasio Gonzalez

REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT OF THE STATE OF BOLIVAR
FIRST CIRCUIT
(Signed)
SECOND COURT IN AND FOR THE MUNICIPALITY OF HERES

Petition No. 115-2000

CESM/RDBG
(Stamp)
LOGGED IN
Today, the ninth day of October, two thousand, at three hours and five minutes in the afternoon, the Second Court in and for the Municipality of Heres in the First Circuit of the Judicial District of the State of Bolivar, accompanied by citizen Armando Catizales Castillo, a practicing attorney, registered with the Venezuelan Bar Association under No. 79,937, a resident of this city, in his capacity as legal counsel for Bridgestone Firestone Venezolana, C.A. who was sufficiently identified in the petition, was transferred and set up at the principal place of business of the “Las Vegas”, S.R.L. Parking Lot, located on the extension to Avenida República, Via Puente Angostura, in the urban area of this city, in order to conduct the Judicial Inspection that is the subject of this petition. The Court was set up at the location mentioned, and citizen Angel Velásquez, a citizen of Venezuela, of age, holder of identity card No. 4,979,824, a resident of this city being present, was provided with notice of the Court’s mission at that location. In order to conduct the Judicial Inspection, the Court then appointed citizen Juan Ventura Dellan, a citizen of Venezuela, of age, holder of Identity Card No. 4,599,444, a resident of this city, as the expert mechanic and, being present, he stated under oath that he would fulfill...
the inherent to the position. Whereupon the Court likewise proceeded to appoint an expert
photographer, which task fell to citizen Federico Muñoz Muñoz, a citizen of Venezuela, of age,
holder of Identity Card No. 15,782,552, a resident of this city, who was present, stated that he
accepted the task and was sworn in as provided by law; he told the Court that he would take the
photographs with a photographic Camera described as follows: make: Canon, model: Sure
Shot, 105-200M, serial no. 0611350, Roll of film: make: Kodak, 24 exposures, 400 ASA, color
film; and that he would attach same to this petition for a Judicial Inspection, thus forming part of
same. With regard to Item One, with the assistance of the assigned and sworn in expert
mechanic, the Court then noted and stated for the record that there was indeed a vehicle at the
location; Make: Ford, Model: Explorer XLT; Color: gray, Plates: NAF-501, Serial number on
bodywork: AJU3WP50615. Item No. Two: The Court, with the help of the expert mechanic,
noted and stated for the record that the above described vehicle was fitted with a tire on each of
its rims, four mounted on the ....
vehicle and one (01) placed in the vehicle's trunk. **Item No. Three:** With the assistance of the expert mechanic, this Court noted and stated for the record that the front left tire (on the driver's side) was: Make: Goodyear, Type: Eagle GTII, Serial No. DOTPB7J E 3 HR 238; the front right tire was: Make: Goodyear, Type Eagle GTII, Serial No. DOTPB7J E 3 HR 228; the rear right tire: Make: Goodyear, Type Eagle GTII, and it proved impossible to read the serial number since it was completely damaged; the left rear tire was: Make: Firestone Wilderness AT, Serial No. DOT P355-75-R15, and in the inside trunk of the vehicle's cab was a tire: Make: Goodyear, Make: Eagle GTII, Serial No. DOT PB7 J E 3 HR 437. **Item No. Four:** with the assistance of the expert mechanic, this Court noted and stated for the record that the condition of the tires mounted on each rim of the inspected vehicle was as follows: the tread on the rear right tire, the front left tire, the front right tire and the tire in the trunk was about 25% worn, and the rear left tire was completely new; the rear left tire was in good condition, the rear right tire was totally ruined, the tire in the trunk .......
and also the front right and front left tires are broken. With regard to Item No. Five: The Court sought the assistance of the above-mentioned expert photographer, who had been identified and sworn in, to take a photograph of each of the tires mounted on each of the vehicle's rims, and he did so. Item No. Six: The Court sought the assistance of the expert photographer to take a photograph of the bodywork of the inspected vehicle and he did so. Item No. Seven: The Court, with the help of the expert mechanic, noted and stated for the record that the bodywork of the inspected vehicle was totally damaged. Likewise, the Court noted and stated for the record that the roof of the inspected vehicle was dented and the driver's side panel was bent over, causing the cabin to be displaced to the right side, that is, from the left or driver's side to the passenger side, or right side. At this point, the petitioner intervened and exercising the reservation he had included in his petition, he asked the Court to make a statement on the record as to the condition of the rims and the steering wheel of the inspected vehicle. At this point, the Court, with the assistance of the expert mechanic, noted and stated for the record that the outside flange ...
of the front right rim was broken, the outside flange of the rear right rim was completely damaged; and the rims on both the front and rear left side were in good condition; it was also observed and stated for the record that the steering wheel was damaged and spun freely. The Court stated for the express record that at the request of the petitioner, any time necessary has been set aside to conduct this inspection. There being no further business, the Court was ordered to return to its usual seat, at five thirty-five in the afternoon. That is all, completed, read and signed by the undersigned, being in agreement therewith.

(Stamp)
REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
OF THE STATE OF BOLIVAR
1st CIRCUIT
(Coat of Arms)
Second Court in and for
The Municipality of Heres

The Judge,
(Signed) (Illegible)
Carlos E. Sanchez Morales

The Subpoenaed Party,
(Signed) (Illegible)
Angel Velasquez

The Expert Mechanic,
(Signed) (Illegible)
Juan Ventura Delfín

The Petitioner,
(Signed) (Illegible)
Attorney Claudia Tomasi

The Expert Photographer,
(Signed - illegible)
Federico Muñoz Muñoz

The Temporary Clerk,
(Signed) (Illegible)
Rosanna Di Blasio González
BOLIVARIAN REPUBLIC OF VENEZUELA, SECOND COURT IN AND FOR THE
MUNICIPALITY OF HERES IN THE FIRST CIRCUIT OF THE JUDICIAL
DISTRICT OF THE STATE OF BOLIVAR - Ciudad Bolívar, on the ninth day of October, two
thousand.

190th year of Independence and 141st year of the Federation

This Petition for a Judicial Inspection having been complied with, it is agreed to return
the
original with the results thereof, consisting of Sixteen (16) pages, leaving a copy in the
Court’s records.

The Judge
(Signed) (Illegible)
Carlos E. Sánchez Morales

The Temporary Clerk,
(Signed) (Illegible)
Rosanna Di Blasio González

(Stamps)
REPUBLIC OF VENEZUELA
JUDICIAL DISTRICT
OF THE STATE OF BOLIVAR
1st CIRCUIT
(Coat of Arms)
Second Court in and for
The Municipality of Heres

Petition No. 115-2000
CESM/RDBG
Certificate of Accuracy

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE  

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 115-2000, dated October 9, 2000, concerning an inspection of the Ford Explorer with plates numbered NAF-50L, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel  
Miami, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado  
Notary Public  
State of Florida

[Seal]  
My commission expires: 1/19/03.
SOLICITANTE(s)  ARMANDO CAÑIZALES.-

MOTIVO  INSPECCION JUDICIAL.-

JUZGADO  SEGUNDO DEL MUNICIPIO HERES.-

FECHA DE ENTRADA: Dia 30 OCTUBRE 1903.-

FECHA DEVOLUCION: Dia 30 OCTUBRE 1903.-
Ciudadano
Juez Segundo del Municipio Heres del Primer Circuito de la Circunscripción Judicial del Estado Bolívar
Su Despacho.

Yo, Armando Cañizales Castillo, venezolano, mayor de edad, domiciliado en Ciudad Guayana, Estado Bolívar, titular de la cédula de identidad Nº 13.521.437, abogado en ejercicio, inscrito en el INPREABOGADO bajo el Nº 79.937, procediendo en este acto en mi propio nombre, ante usted respetuosamente ocuño y expongo: Para fines legales que me interesan y de conformidad con los artículos 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, solicito que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cada caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.
Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Juro la urgencia del caso y solicito que de conformidad con lo establecido en el artículo 192 del Código de Procedimiento Civil se habilite el tiempo necesario para estas actuaciones.

Pido, por último, que una vez evacuada la presente solicitud, me sea devuelta en original junto con sus resultados. Es justicia que espero en Ciudad Bolívar, en la fecha de su presentación.

[Signature]
[Stamp]
En el día de hoy, 09 de Octubre del año dos mil, siendo las tres y cinco minutos de la tarde, se tradió y constituyó el Juzgado Segundo del Municipio Jesús del Primo Biscutero de la Fiscalía General del Estado Bolivariano, con compañía del ciudadano Armando Benítez, abogado en ejercicio, debidamente inscrito en el Inrpeabogado bajo el 797939 de este domicilio, en la sede del Estacionamiento "Las Vegas" S. A. E., ubicado en la prolongación de la Vereda República, Vieja Faja Gorgotac, zona urbana de esta ciudad, con el fin de practicar Inspección Judicial, a que se antecede la presente solicitud, constituido el Tribunal en el sitio antes indicado, y presente el ciudadano Ángel Velásquez, venezolano, mayor de edad, titulares de los Cédulas de Identidad N° 4979,224, de este domicilio, fue notificado de la reunión del Tribunal en esta actuación; debidamente el Tribunal, para la práctica de esta Inspección Judicial, queda designado como practicar mecánico al ciudadano Juan Ventura Dellan, venezolano, mayor de edad, titulares de la Cédula de Identidad N° 4979,444, de este domicilio, quien es tenido presente para cumplir con las labores...
inherentes al cargo. Igualmente, el tribunal procede a realizar en este mismo acto la designación de un practicante fotógrafo, el cual va a hacer en la persona del ciudadano Federico H. de la Cruz, venezolano, mayor de edad, titular de la Tarjeta de Identidad N° 18.513.352, de este domicilio, quien estando presente y habiendo manifestado su aceptación al caso, presta el juramento de ley, manifestando al tribunal que procediera a tomar las fotografías con unos datos fotográficos, marca: Ektachrome, Modelo: Fuji Pro, N° 1052041, Serial: 0611350, Folio blanco: Todas de 24 exposiciones, una, 400 ciné, películas a color; y las anexa a la presente a la presente solicitud de la presente solicitud de la presente solicitud, para que formen parte de la misma. Igualmente, el tribunal en cuanto al Primer Particular, con la presencia del practicante mecánico designado y facultado, observa y deja constancia que inmediatamente en el lugar se encuentra un vehículo marca: Ford, Modelo: Explorer XLT, color: Gris, placas: NAF-501, Serial de tarjeta: A5032PS0615. Al segundo Particular, el tribunal observa y deja constancia con la presencia del practicante mecánico, que el vehículo antes identificado, tiene un farolón instalado en cada uno de sus rines, cuatro de ellos instalados en el
vehículo, y uno (01) colocado en la maletera del mismo. Al García Particular con la ausencia del práctico mecánico, este condujo observando y dejando constancia que el caucho delantero izquierdo (lado del conductor) es marca: "Good Year", color: "Eagle GT II", Serial: DOT PBTJ E 3 HR 228; el caucho derecho delantero es marca: "Good Year", color: "Eagle GT II", Serial: DOT PBTJ E 3 HR 228, el caucho trasero derecho es marca: "Good Year", color: "Eagle GT II", resulta imposible visualizar el serial, por estar totalmente planado; el caucho trasero izquierdo es marca: "Goodyear", color: "Dunlop", color: "Wilderness AT", Serial: DOT P235-75-R15; y en el maletero interior de la cabina del vehículo, un caucho, marca: "Good Year", color: "Eagle GT II", Serial: DOT PBTJ E 3 HR 487. Al García Particular, con la ausencia del práctico mecánico, este condujo observando y dejando constancia que la condición de los cauchos instalados en cada uno de los rinnes del vehículo impregnado es la siguiente: los cauchos traseros derecho, delantero izquierdo, delantero derecho, y el del maletero, presentan un desgaste de aproximadamente de un 25% en su banda de rodadura, mientras que el trasero izquierdo está totalmente nuevo; el caucho trasero izquierdo está en buen estado; el caucho trasero derecho está totalmente destruido; el caucho del maletero...
así como el delantero derecho y delantero izquierdo están rotos. En cuanto al buje Particular, el Tribunal se auxilia del práctico fotógrafo antes mencionado, identificado y queda encargado para tomar fotografía de cada uno de los ruedos instalados en cada una de las ruedas del vehículo y así se hace. Al Sexto Particular, el Tribunal se auxilia del práctico fotógrafo para tomar fotografía de la carrocería del vehículo inspeccionado, y así se hace. Al Séptimo Particular, el Tribunal acudido del práctico mecánico, observa y deja constancia que la carrocería del vehículo inspeccionado está totalmente dañada, igualmente observa y deja constancia que el techo del vehículo inspeccionado está abollado en el panel del lado del conductor, doblado presentando un desplazamiento de la cabina hacia el lado derecho, es decir, desde el lado izquierdo o lado del conductor, hacia el lado que corresponde al asiento o lado derecho. En este estado interviene el solicitante y haciendo uso de la reserva contenida en la solicitud, pide al Tribunal que constancia del estado de los rieles y el volante del vehículo inspeccionado. En este estado el Tribunal con la ayuda del practico mecánico observa y deja constancia que el asiento delantero derecho, tiene la pestana exterior rotos,
el tronco derecho presenta la pestaña a tenor completamente dañada, y los rie-
nes del lado izquierdo tanto delantera como trasera están en buen estado; igualmente ob-
serva que deja constancia que el volante está dañado y que libremente. El tribunal de
juzgados constata que a petición del solicitante, ha sido habilitado todo el tiem-
po necesario para la práctica de la presente inspección. No teniendo otra diligencia
que practicar, el tribunal ordena sea segui-
do a su pedido, natural, siendo las cinco
y treinta y cinco de la tarde. Se toma, tiene,
sea guardada, y conforme firman:

El expediente notarial

El solicitante:

Ab. Augusto Gómez

El notificada:

[Nombre]

El práctico mecánico:

[Nombre]

El práctico fotográfico:

[Nombre]

La secretaria:

[Nombre]
REPÚBLICA BOLIVARIANA DE VENEZUELA. JUZGADO SEGUNDO DEL MUNICIPIO HERES DEL PRIMER CIRCUITO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO BOLÍVAR.- Ciudad Bolívar: diez (10) de octubre del año dos mil

190º y 141º

Cumplida como ha sido la presente Solicitud de Inspección Judicial, se acuerda devolver original con sus resultados, constante de Decisión (16) folios utiles, dejando copia en el archivo del Tribunal.

El Juez, ____________________________
Carlitos Sánchez Morales

La Secretaria Temporal, ____________________________
Rosana Ed. Blandi González

Solicitud N° 115-2000
CEMSRDBG
REPUBLICA DE VENEZUELA

PODER JUDICIAL

Jurisdicción Civil

SOLICITUDES

ARCHIVO

SOLICITANTE(s): CLAUDIA ROMOEL.-

MOTIVO: INSPECCION JUDICIAL.-

JUZGADO: SEGUNDO DEL MUNICIPIO HERES.-


FECHA DEVOLUCION: Día: Mes: Año:...
Yo, Claudia Tomasi, venezolana, mayor de edad, domiciliada en Ciudad Bolívar, Estado Bolívar, titular de la cédula de identidad N° 13.016.937, abogada en ejercicio, inscrita en el INPREABOGADO bajo el N° 76.479, actuando en este acto en nombre y representación de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A. FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitres (23) de octubre de 1956, bajo el N° 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha veintiocho (28) de enero de 1997, bajo el N° 2, Tomo 8-A, ante usted respetuosamente ocupo y expongo: De conformidad con los artículos 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, solicito muy respetuosamente de este Tribunal se traslade y construya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo. Marca: Ford. Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Si el vehículo antes identificado tiene cada caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de
los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo inspeccionado.

SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del vehículo.

De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida oportunidad.

Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 ejusdem, se ordene la reproducción fotográfica de los hechos anteriormente especificados y de cualquier otro que expresamente me reserve señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto, se designe un práctico fotógrafo y un práctico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fíles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Judicial. Juro la urgencia del caso y solicito que de conformidad con lo establecido en el artículo 192 del Código de Procedimiento Civil se habilite el tiempo necesario para estas actuaciones.

Pido, por último, que una vez evacuada la presente solicitud, ne sea devuelta en original junto con sus resultados. Es justicia que espero en Ciudad Bolívar, en la fecha de su presentación.
En el día de hoy, 29 de octubre del año dos mil, siendo las 10 de la tarde, se adelantó y contó, tiene el juzgado Segundo del Municipio Funchal del Principio 21 de la bencincapación judicial en el Estado Bolívar, en compañía de la señora Claudia Homero, abogada en ejercicio, inscrito en el Inscríbogado bajo el nº 76.479, de este domicilio, en su condición de representante judicial de Bridgestone Tiresone Venezuela, C.A., suficientemente identificada en el acta de solicitud, en los actos del Estacionamiento "Las Vegas" S.R.L. ubicado en la prolongación de la Avenida República, Via Puente Augusto, zona urbana de esta ciudad, con el fin de practicar Inspección Judicial a que se concrete la presente solicitud, constituido el Tribunal en el acto ante indicado, y presente el ciudadano Ángel Velásquez, venezolano, mayor de edad, titular de la Béndela de Identidad nº: 19.979.224, de este domicilio, fue notificado de la misma del Tribunal en este acto. Seguidamente el Tribunal para la práctica de esta inspección judicial acuercia designar como práctico encargado al ciudadano Juan Velásquez Delam, venezolano, mayor de edad, titular de la Béndela de Identidad nº: 4.599.444, de este domicilio.
quien estando presente juró cumplir con las labores inherentes al cargo. Igualmente, el Tribunal procede a realizar en este mismo acto la designación de un práctico fotográfico, el cual aparece en la persona del ciudadano Federico Soler Fuentes, cubano, menor de edad, titular de la Habilitación de Identidad No. 15-782 652, de este domicilio, quien estando presente y habiendo manifestado su aceptación al cargo, juró el juramento de ley, signándose al Tribunal que proceda a tomar las fotografías con una cámara Fotográfica marca: Canon, Modelo: Sure Shot 105, año 2004, Serial: 0611552. Debe anotarse que, de las 24 tomas realizadas, 400 impresiones, película de 35 mm, y los originales a la presente acta de Inspección Judicial, para que formen parte de la misma. Igualmente el Tribunal en cuanto el Perito Particular, observa y deja constancia que el vehículo en el lugar se encuentra un autobús marca Ford, Modelo: Explorer XLT, color blanco. Placas N4F-504, Serial de Carrocería: ASU 324P 50615. Al Segundo Particular, el Tribunal observa y deja constancia, con la asistencia del práctico mecánico, que el vehículo antes identificado tiene un cambio instalado en cada uno de sus rines, razón
de ello instalado en el vehículo y uno (1) colocado en la maletería del mismo. Al examinarlo se puede observar que el caucho delantero izquierdo (lado del conductor) es de marca Good Year, Exo Eagle GT II, equipado: DOT PB71 E 3 HR 228, el caucho delantero derecho es de marca Good Year, Exo Eagle GT II, equipado: DOT PB71 E 3 HR 228, el caucho trasero derecho es de marca Good Year, Exo Eagle GT II, equipado: DOT PB71 E 3 HR 228. Al examinarlo depósito de la maletería del vehículo, en el maletero interno de la cabina del vehículo, un caucho, marca Good Year, Exo Eagle GT II, equipado: DOT PB71 E 3 HR 437. Al examinarlo se puede observar que el caucho delantero izquierdo se encuentra en buen estado, el caucho trasero izquierdo está totalmente desgastado; el caucho

Ses (66)
del maletero, así como el delantero derecho y delantero izquierdo están rotos. En cuanto a
Cuarto Particular, el Emirador se acerca al prá-
tico fotógrafo ante mencionado, identificado
y juzgamiento para tomar fotografía de cada
uno de los paños instalado en cada uno de
los rines del vehículo; y así se hace. Al sexto
Particular, el Emirador se acerca al práctica-
fo fotógrafo para tomar fotografía de la com-
fensa del vehículo inspeccionado, y así se ha-
ce. Al Séptimo Particular el Emirador aus-
ta al práctica mecánico, observa y deja constancia que la carrocería del vehículo in-
speccionado está totalmente dañada: en este
estado interviene el Emirador con asistencia del
práticamente mecánico, observa y deja constancia
que el techo del vehículo inspeccionado está
abollado con el papel del lado del conductor
doblado, presentando un desplazamiento de
la cabina hacia el lado derecho, es decir, del
de el lado izquierdo, o lado del conductor,
hacia el lado que corresponde al capot o
dado derecho. En este estado interviene la
plicante, y haciendo uso de la misma consti-
tada en la solicitud, pide al Emirador dejar
constancia del estado de los rines y el volante
del vehículo inspeccionado. En este estado el
Emirador con la ayuda del práctica mecánico,
observa y deja constancia que el vin—
Delante derecho tiene la parte superior
notar, al mismo tronco derecho presenta la parte superior completamente dañada; y los
mismos del lado izquierdo tanto delante como trasero están en buen estado, igual.

mente observa y deja constancia que el colon-
te está dañado y que libremen
to, tendiendo otra diligencia que practicar. El Tribu-
nal ordena su regreso a que entre natural
siento las dos y cuarenta y seis minutos
de la tarde. Se todo terminó, se hizo y
conforme lo mon.

La Solicitante,

Ab Candia Colares

El Reclamado

Angelo Velázquez

El Practico Fotógrafo

El Practico

Secretaria Temporal,

José

Azcúaga D. Blesio Gonzaga
REPUBLICA BOLIVARIANA DE VENEZUELA. JUZGADO SEGUNDO DEL MUNICIPIO HERES DEL PRIMER CIRCUITO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO BOLIVAR. Ciudad Bolívar, diez (10) de octubre del año dos mil.

1901 y 1419

Cumplida como ha sido la presente Solicitud de Inspección Judicial, se acuerda devolver original con sus resultados, constante de Diecisiete (17) fechas útiles, dejando copia en el archivo de dicha instancia.

El Juez.
Carlos E. [Firma]

La Secretaria Temporal.
[Fecha]
Rosario de Elías González

Solicitud N° 116-2010
CESMREDBG
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): FRANCISCO JESÚS VEASQUEZ A. VENEZUELAN BAR ASSOCIATION ("INPREARROGADO") NO. 54,892, in his capacity as Legal Counsel for BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

REASON: JUDICIAL INSPECTION

COURT: COURT IN AND FOR THE MUNICIPALITY OF JUAN JOSÉ MORA-MORÓN

DATE STAMPED IN: Day: 25 Month: June Year: 2000

DATE RETURNED: Day: 28 Month: June Year: 2000

No. 36/2000

C.22
STATE OF CARABOBO

(Seal)

(Court of Arms)

* Fee for Fiscal Stamp  •  VALUE: ONE HUNDRED
FORTY-EIGHT BOLIVARES (Bs. 148.00) *

CA-98 – No. 03085432

Citizen:
JUDGE FOR THE MUNICIPALITY OF JUAN JOSE MORA IN THE JUDICIAL DISTRICT OF THE
STATE OF CARABOBO
In his office,
1. FRANCISCO JESÚS VELASQUEZ ARCAV, a citizen of Venezuela, of age, domiciled in Valencia,
State of Carabobo, holder of identity card No. 7,121,658, a practicing attorney, registered with the
Venezuelan Bar Association ("INFRADEGADO") under No. 54,892, appearing herein in my capacity as
legal counsel, as evidenced by the power of attorney attached to this petition, for BRIDGESTONE
FIRESTONE VENEZOLANA, C.A., a corporation formerly known as C.A. FIRESTONE
VENEZOLANA, which was registered with the Companies Register that was maintained by the Second
Court of the First Instance for Civil and Commercial Matters in the Judicial District of the State of
Carabobo, on the twenty-third (23rd) day of October, 1956, under No. 1, the amendment thereof being
assembled in one body of documentation as set forth in the Minutes of the Extraordinary General
Shareholders' Meeting recorded in the First Companies Register in and for the Judicial District of the
State of Carabobo on January 29, 1997, under No. 2, Volume 8-A, hereby respectfully appear before you
and state: In accordance with articles 192, 936 and 938 of the Code of Civil Procedure, and article 1,429
of the Civil Code, I swear that this case is an emergency, and I would ask this Honorable Court to set
aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred to
and constituted at the address of which I will advise it in due course, in order to have the following items
placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is constituted of a vehicle: Make: Ford, and
the Model, Type Color and Plates of the inspected vehicle.

TWO: As to whether the vehicle identified above has four (4) tires fitted on each of its rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected
vehicle.

------------------------------------------
FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle’s bodywork.

As to any other fact or circumstance that I reserve the right to indicate in due course.

Pursuant to articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of article 502 of same, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer be appointed, together with an expert mechanic.

Furthermore, I would ask this Court to state for the record that the said photographs were taken in the presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court’s grace, in Valencia, on the date of the filing hereof.

(Signed) (illegible)
1882

(Handwritten) Three - Three -

(Two partial stamps in left margin – illegible)

(Stamp)
Republic of Venezuela
(Coat of Arms)
(Initials – illegible)
Third Notary Public in and for Valencia
1883

I, ROSENO S. TERBADAS, a citizen of Venezuela, of age, a resident of this city, in full possession of my civil rights and holder of identity card No. 6,297,665, appearing in my capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., a commercial company domiciled in the city of Valencia, State of Carabobo, and originally registered with the Companies Register that was maintained by the Second Court of the First Instance for Civil and Commercial Matters in and for the Seventh Judicial District of the State of Carabobo on the twenty-third (23rd) day of October, 1956, under No. 1, hereby state: That the company I represent is granting a power of attorney that is as broad, adequate and sufficient as the law requires and is necessary, to practicing attorneys: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEDESMA, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJA, CLEMENTINA DE CASTRO, MARGOT HUEN, CARLOS LUIS PIMENTEL HENRIQUEZ and FRANCISCO J. VELASQUEZ ARCAJ, all citizens of Venezuela, of age, legally competent and holders of identity cards Nos. 3,967,563, 3,661,025, 7,308,173, 6,845,624, 6,822,699, 10,335,670, 9,879,275, 7,139,825 and 7,121,658 respectively, who are registered with the Venezuelan Bar Association ("INPREABOGADO") under Numbers 13,946; 11,568; 19,692; 26,304; 32,501; 54,502; 48,328; 55,660 and 54,892, also respectively; the first eight of said attorneys being domiciled in the city of Caracas, Federal District, and the last one being domiciled in the city of Valencia, State of Carabobo, to act jointly or separately and represent and uphold the rights, actions and interests of BRIDGESTONE FIRESTONE VENEZOLANA, C.A. in any type of judicial or extra-judicial matter to which it is a party, before any person, whether public or private, and before any national, state, district or municipal, judicial or administrative agency or agencies under any other competence, order or jurisdiction, including, but ....

(Hand written at bottom of page)
No. 28 – Volume 11
(Back of Page Four)

(handwritten) No. (60)

(Three stamps with initials and Five partial stamps down right margin)

Republic of Venezuela

(Court of Arms)

Third Notary Public in and for Valencia

not limited to, the courts of the First and/or Second Instance, District or Municipal Courts, the Supreme Court of Justice, the First Court for Contentious-Administrative Matters, Higher Courts for Contentious-Administrative Matters, Higher Courts for Contentious-Tax Matters, Courts for Contentious-Administrative Matters, Criminal Courts, Labor Courts and finally, before any agency, court, office, authority and/or officers of any public or private kind. The grantees named above are, when exercising this power of attorney, authorized to file and/or answer any kind of complaint, claim, proceeding, motion and/or counterclaim, allege, object to and/or answer prior defenses and questions, enter into commitments for remedies and/or guarantees, agree to, dismiss, settle, waive actions or rights and refrain from exercising them if appropriate; request the record on orders or actions; defer action, suspend, exercise, request and waive extensions of time and appeals, challenge, move for dismissal and reinstatement if necessary or appropriate; appeal, appear in person; produce any type of evidence and object to the admission of same and participate in all of the procedures and motions for compliance therewith, request and arrange for any preventive or executory measure if necessary or appropriate or oppose same and participate in any other motion that may arise; commence third party proceedings; strike and/or disavow all types of documents, strike witnesses, assign property, request accounting, move for petitionary or confessional proceedings of any kind whatsoever; be summoned or subpoenaed, receive and deliver any amount of money that is legitimately due and owing and issue and demand the corresponding receipts and releases, dispose of rights during litigation, request and participate in auctions, by bidding and purchasing at auctions for such purpose, issue any bond and guarantee required by any Court or Tribunal, object to any kind of bond and/or guarantee, settle at arbitration, with arbitrators and/or .................
1885

(Handwritten) Five - 5 -
(Fiscal Stamp)
REPUBLIC OF VENEZUELA
20 BOLIVARS
Ministry of Finance
(Five partial stamps in left margin)
...OF VENEZUELA
(Coat of Arms)
...IN AND FOR VALENCIA
(Two stamps over fiscal stamp with illegible initials)
REPUBLIC OF VENEZUELA
(Coat of Arms)
Third Notary Public in and for Valencia

at arbitration proceedings at law, request rulings in equity, appoint partners, pursue lawsuits that have been commenced in all of their proceedings, motions and procedures and exercise any remedy there may be. Whether ordinary or extraordinary, such as cassation or annulment, initiate and refrain from proceedings challenging the constitutionality of laws, prepare and answer interrogatories under oath, file claims and small claims and refrain from making them, and in general, do anything necessary or appropriate for the best defense of the rights and interests of BRIDGESTONE FIRESTONE VENEZOLANA C.A. I hereby certify that the powers granted and listed hereunder are merely for reference purposes and are not limitative and that the grantees appointed hereunder are authorized to assign this power of attorney to people or attorneys they deem to be trustworthy, with all or any of the powers mentioned above, with or without a restriction on the exercise thereof. This power of attorney neither revokes nor invalidates any other power of attorney previously granted by BRIDGESTONE FIRESTONE VENEZOLANA C.A. In order to certify as to the legal existence of the company I represent for the record, the capacity in which I am acting, my powers and the other issues concerning powers of attorney, and pursuant to the provisions of article 155 of the Code of Civil Procedure, I am hereby listing and producing the following documents to the Notary before whom this power of attorney is being signed and I am asking her to list them in the respective note: ONE: Certified copy issued by the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District dated the twenty-third (23rd) day of October, 1956, of the entry in Companies Register No. 1, containing the original Articles of Incorporation and Bylaws of C.A. FIRESTONE VENEZOLANA, (now known as BRIDGESTONE FIRESTONE VENEZOLANA, C.A.). TWO: Certified copy issued by the First Commercial Register for the Judicial District of the State of ....
(Back of Page 5)

(Hand written) No. 61

(Three stamps with illegible initials)
REPUBLIC OF VENEZUELA
(Coat of Arms)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA
(Five partial stamps in right margin.)
REPUBLIC OF ......
(Coat of Arms)
THIRD NOTARY PUBLIC...

Carabobo, on the twenty-fifth (25th) day of November, 1992, of the entry in Commercial Register No. 34, Volume 16-A, containing the Minutes of the Extraordinary Shareholders' Meeting held in lieu of an Ordinary Meeting on the nineteenth (19th) day of November, 1992, at which it was agreed, among other things, to change the name of the company to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

THREE: Certified copy issued by the First Commercial Register for the Judicial District of the State of Carabobo dated the twenty-seventh (27th) day of January, 1995, of the entry in Companies Register No. 46, Volume 6-A, containing the minutes of the Extraordinary General Shareholders' Meeting held on the twelfth (12th) day of December, 1994, which sets forth my appointment as President of the company. I am also asking the Notary Public to come to and appear at the company offices for the granting of this power of attorney. Valencia, on the date of the authentication hereof.

(Signed) (Illegible)

(Three stamps)
REPUBLIC OF VENEZUELA
(Seal)
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Fiscal Stamp)
REPUBLIC OF VENEZUELA
Ministry of Finance
Name of Applicant (illegible)
Identification Number Date
For ________ Legal Basis
H-91 31/0203
1000 - ONE THOUSAND ....
REPUBLIC OF VENEZUELA.

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Seal)

REPUBLIC OF VENEZUELA. THIRD NOTARY PUBLIC IN AND FOR VALENCIA. Valencia, on the thirtieth (30th) day of January, nineteen hundred and ninety-six. 185th year of Independence and 136th year of the Federation. The foregoing document, which was prepared by attorney FRANCISCO VELASQUEZ ARCAU, who is registered with the Venezuelan Bar Association under number 5482, was submitted for authentication and return, as per form No. 243271, dated January 30, 1996. The grantor thereof was present and stated that his name was: ROSENDO S. TERRADAS, acting in his capacity as President of BRIDGESTONE FIRESTONE VENEZOLANA, C.A., being of legal age, domiciled in Valencia, a citizen of Venezuela, marital status: married and holder of identity card No. 6,787,265. He read the document in the presence of the notary and stated: “The content thereof is true and correct and the signature appearing at the bottom of the instrument is mine.” The Notary therefore declared it to be authenticated in the presence of witnesses: MARIELA JIMENEZ AND ESTHER DE CESAR, holders of identity cards Nos. 10,737,912 and 395,502, and she inserted it in the book of authentications maintained by this Notary’s office under No. 28, Volume 11. The Notary states for the record that she examined and returned BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s entry in the Companies Register, which was originally registered with the Second Court of the First Instance for Civil and Commercial Matters in the Seventh Judicial District of the State of Carabobo on October 23, 1955, under No. 1. Also, the Notary went to BRIDGESTONE FIRESTONE VENEZOLANA, C.A.’s premises in this city at 10:15 a.m. for the execution of this document.

THE NOTARY

(Signed) (Illegible)

(Stamp)

ROSA RUIEDA DE HOUTMANN
THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Seal)

(Three stamps)

REPUBLIC OF VENEZUELA

(Seal)

Third Notary Public in and for Valencia
The undersigned Notary hereby certifies that the foregoing power of attorney was replaced by citizen Ramón J. Alvina Santi, and the exercise thereof was restricted to citizens Diego Bustillos Beiner, Henry Torrealba, Mario Calosa, José Enrique D'Apollon and Gabriela Núñez Márquez, by means of an instrument signed before the 8th Notary's Office, now the 4th, in and for the Municipality of Chacao in the District of Miranda, under No. 45, Volume 96, on December 11, 1996.

The Notary,
(Signed) (Illegible)
(Stamp)
ROSA RUEDA DE HOUTMANN
THIRD NOTARY PUBLIC
(Three stamps reading)
Republic of Venezuela
(Seal of Arms)
Third Notary Public in and for Valencia
REPUBLIC OF VENEZUELA, THE UNDERSIGNED, ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO, CERTIFIES: That I have compared the photocopy consisting of THREE (03) sheets of paper, and that it is a true and correct copy of the Document that was inserted at this Notary's Office in 1996, under No. 28, Volume 11, that said copy was made by citizen SUELEIDA NOGUERA, of age, Holder of Identity Card No. V-5,622.001, a capable person who is Authorized by me to do so and who, together with me, is signing this Certification and each one of its pages. That said copy is issued at the request of the interested party and by Decree of the same date, which are inserted below: Citizen: Third Notary Public in and for Valencia. In her office, I, AN OFFICER OF BAKER & MCKENZIE, of legal age, Holder of Identity Card No. 000000, am requesting a Certified Photocopy of Document No. 28, Volume: 11, in the Books of Authentications maintained by this Notary's Office dated January 30, 1996. In Valencia, on the TWENTY-FIFTH (25th) day of the month of May, in the year TWO THOUSAND. The Applicant (signed) illegible. Republic of Venezuela. Third Notary Public in and for Valencia. Valencia, 5-23-2000, and for this purpose, pursuant to the provisions of Article 129 of the Public Records Law. Citizen SUELEIDA NOGUERA, of age, Holder of Identity Card No. V-5,622.001, is appointed to perform the Photocopying and sign each of the pages together with the Notary. (signed). ROSA RUEDA DE HOUTMANN, THIRD NOTARY PUBLIC IN AND FOR THE AUTONOMOUS MUNICIPALITY OF VALENCIA IN THE STATE OF CARABOBO. Valencia. On the TWENTY-FIFTH (25th) day of the month of MAY, in the year TWO THOUSAND. 1899 year of Independence, and 140th year of the Federation. 

THE NOTARY  
(Stamp)  
Republic of Venezuela  
(Coat of Arms)  
Third Notary Public in and for Valencia  
(Signed) (Illegible)  
(Stamp)  

ROSA RUEDA DE HOUTMANN  
THIRD NOTARY PUBLIC  
IN AND FOR VALENCIA  

THE APPOINTEE  
(Signed) (Illegible)
(Back of Page Seven)

(Five partial stamps down right margin)

REPUBLIC

(Seal)

THIRD NOTARY PUBLIC

(Two stamps with illegible initials)

REPUBLIC OF VENEZUELA

(Coat of Arms)

THIRD NOTARY PUBLIC IN AND FOR VALENCIA

(Stamp)

The undersigned NOTARY confirms that she had before
her for examination and return FORM 16 No. 1604773,
paid at the Bank Corp. Banking on May 26, 2000, issued by the
MINISTRY OF FINANCE

The Notary

(Signed) (Illegible)

(Stamp)

ROSA RUEDA DE HOUTMANN

THIRD NOTARY PUBLIC

IN AND FOR VALENCIA

(Five stamps diagonally down page)

Republic of Venezuela

(Coat of Arms)

Third Notary Public in and for Valencia
(Hand written) Eight - 8 -

1891

(Four partial stamps down left margin)

.... Venezuela

........

....... Valencia

(Stamp in middle of page)

.... Venezuela

(Ilegible)

.... Valencia
(Hand written) Nine - 9 -

STATE OF CARABOBO
(Court of Arms)
* Fee for Fiscal Stamp * VALUE: ONE HUNDRED
FORTY-EIGHT BOLIVARS (Bs. 148.00) *

CA 98 No. 04214783

(Two partial stamps in left margin – illegible)

COURT IN AND FOR THE MUNICIPALITY OF JUAN JOSE MORA IN THE JUDICIAL
DISTRICT OF THE STATE OF CARABOBO


190th year of Independence and 141st year of the Federation

Since the foregoing pleading, consisting of one (1) sheet of paper, together with a
certified copy of the Power of Attorney has been filed, it is ordered that it be admitted and that
every part thereof be complied with. To this end, it is ordered that the Court be transferred to
and constituted at the locations indicated by the petitioner, in order to conduct the Judicial
Inspection requested.

Acting Judge,
(Signed) (Illegible)

Clerk,
(Signed – illegible)

Entered on this same date under No. 36/2000.

Clerk,
(Signed) (Illegible)

DCC/bmg/rex.-
At 2:00 p.m. today, the twenty-eighth day of June, in the year two thousand, after setting aside the time needed, the Court was transferred to and constituted at the “Punto Fijo” Parking Lot on Avenida Falcon, at Morón, in the Municipality of Juan José Mora in the State of Carabobo, in order to conduct the Judicial Inspection requested of and agreed to by this Court. Present thereat was attorney Francisco Jesús Velasquez Arcay, Venezuelan Bar Association No. 54,892, in his capacity as legal counsel for “Bridgestone Firestone Venezolana”, a corporation formerly known as “C.A. Firestone Venezolana”. Citizen Francisco Marin, holder of identity card No. 1,421,535, was subpoenaed for the Court’s mission, in his capacity as Manager of the “Punto Fijo” Parking Lot. Citizen Xiomara Carolina Barrios Garcia, holder of identity card No. V-3,234,607, was appointed as the expert photographer to take photographs of the subject matter of the Inspection and being present, she accepted the task and was sworn in as provided by law. Also, Citizen Charles José Tosive Castillo, holder of identity card ........
(Back of Page Ten)

No. V-15,225,897, a mechanic by trade, was appointed as the expert mechanic to advise the Court on performing the Inspection; being present he accepted the task and was sworn in as provided by law. The Court then issued a statement for the record, with regard to Item ONE, it stated for the record, all upon the advice of the expert appointed, that at the location at which it had been set up, there was a vehicle, Make: Ford, Model: Ranger XLT, Type: 4x4, Double cab with four seats, Color: Wine with blue trim, Plates #16 GAG. With regard to Item TWO, the Court stated for the record that the inspected vehicle was fitted with three (3) tires, and that the rear right tire and rim were missing. With regard to Item THREE: Upon advice from the expert, the Court stated for the record that the first tire on the inspected vehicle, on the front [*"front" was inserted] right side, was Make: Goodyear, type: R15, serial number LT235/75R15 10/1045 and was a tubeless radial; the front left tire was Make: Goodyear, type: R15, serial number LT235/75R15 105Q, and was a tubeless radial. The rear left tire was Make: Goodyear, type: R15, serial number LT235/75R15 105Q. With regard to Item FOUR, the Court stated for the record, with advice from the expert, that the three (3) tires were in good condition, as was their tread. With regard to Item FIVE, the Court ordered the Expert Photographer appointed...
to take photographs of each tire on each rim of the inspected vehicle with an instant photograph 636 Close Up Polaroid Camera; these photographs will be added to the Inspection Report to form a part of same. With regard to Item SIX, the Court ordered the Expert Photographer to take photographs of the bodywork. With regard to Item SEVEN, upon advice from the expert mechanic, the Court made a statement on the record as to the general condition of the inspected vehicle. The Court stated on the record that there were dents on the roof, hood, the left and right front mudguards and the left and right rear mudguards and the four (4) doors, and also the headlights and glass covers were broken, as were the brake lights. Exercising the right he had reserved, the petitioner then stated: "I request that the vehicle's mileage be stated on the record; and that the subpoenaed party advise the Court of the reason why, as far he knows, the vehicle was brought into the parking lot, and also, with the advice of the expert, a statement as to the state of the right rear axle, where the vehicle's tire...."
is missing. That is all". Upon receiving the petitioner's requests, the Court stated for the record that the inspected vehicle's odometer showed 65,250 kilometers. Next, citizen Francisco Marin, whose identity and capacity have been set forth herein, stated to the Court that the owner of the vehicle told him that the vehicle had been taken to the parking lot as a result of a traffic accident due to a rollover. With regard to the last part of the request, the Court stated for the record, with advice from the Expert, that the right rear axle where the tire and rim were missing had been split. As there was no other request on which to report, the Court adjourned the Inspection and ordered that it be transferred back to the Courthouse. Completed, read and signed by the undersigned who are in agreement therewith. Insertion: "front" – OK.

The Acting Judge,
(Signed) (illegible)
(stamp)

.... OF VENEZUELA
(illegible))

The Petitioner,
(Signed) (illegible)

The Subpoenaed Party,
(Signed) (illegible)

The Expert Photographer,
(Signed) Xiomara Barrios

The Expert Mechanic,
(Signed) Charles (illegible)

Clerk,
(Signed) (illegible)
1897

(Hand written) Fifteen - 15 -

CA – 98 No. 04214778

(Seal)

STATE OF CARABOBO
(Coat of Arms)

* Fee for Fiscal Stamp * VALUE: ONE HUNDRED
FOURTY-EIGHT BOLIVARS (Bs. 148.00) *

(Hand written) Returned the same day, consisting of 15 two-sided pages

Clerk,
(Signed) (illegible)
(stamp)

REPUBLIC OF VENEZUELA
(illegible)

(Stamp)

REPUBLIC OF VENEZUELA
(illegible) State of Carabobo
(Coat of Arms)

Court of the Municipality of Juan José Mora
Certificate of Accuracy

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 36-2000, dated June 28, 2000, regarding an inspection of the Ford Explorer with plates numbered 81G-GAG, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

________________________

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification, or having shown satisfactory evidence of identification.

The foregoing instrument was acknowledged to and before me this 23rd day of January, 2001.

Elena Rosado
Notary Public
State of Florida

(SEAL)  My commission expires: ____________
Filed by Attorney Francisco Jesús Velasquez Arezy, holder of identity card No. 7,121,658, Venezuelan Bar Association No. 54,892, in his capacity as legal counsel for Bridgestone Firestone Venezolana, C.A. during office hours today, the twenty-eighth (28th) day of June, 2000, consisting of one (1) sheet of paper, together with the filing fee, accompanied by a certified photocopy. Advise the Judge.

The Filer:

(Signed) (Illegible)

The Clerk,
(Signed) (Illegible)
REPUBLICA DE VENEZUELA
PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE(S)  FRANCISCO J. VELASQUEZ A., INFRASEGOA, NO 94.892, EN SU CARÁCTER DE APONERADO JUDICIAL DE BRIDGESTONE FIRESTONE VENEZOLANA, C.A.

MOTIVO  INSECCIÓN JUDICIAL

JUZGADO  MUNICIPIO JUAN JOSÉ MORA-MORÓN

FECHA DE ENTRADA: DÍA 28  MES  JUNIO  AÑO  2,000

FECHA DEVOLUCIÓN: DÍA 29  MES  JUNIO  AÑO  2,000

C-22
Ciudadano

JUEZ DEL MUNICIPIO JUAN JOSE MORA DE LA CIRCUNSCRIPCION

JUDICIAL DEL ESTADO CARABOBO

Su Despacho.

Yo, FRANCISCO JESUS VELASQUEZ ARCAY, venezolano, mayor de edad, domiciliado en Valencia, Estado Carabobo, titular de la cédula de identidad Nº 7.121.658, abogado en ejercicio, inscrito en el INPREABOGADO bajo el Nº 54.892, procediendo en este acto en mi carácter de apoderado según se evidencia de instrumento poder que se anexa a esta solicitud de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., compañía anónima antes denominada C.A.

FIRESTONE VENEZOLANA, inscrita por ante el Registro Mercantil que llevó el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Circunscripción Judicial del Estado Carabobo, en fecha veintitrés (23) de octubre de 1956, bajo el Nº 1, compiladas sus reformas en un solo cuerpo según consta de Acta de Asamblea General Extraordinaria de Accionistas inscrita por ante el Registro Mercantil Primero de la Circunscripción Judicial del Estado Carabobo en fecha 29 de enero de 1997, bajo el Nº 2, Tomo 8-A, ante usted respetuosamente ocurro y expongo: De conformidad con los artículos 192, 936 y 938 del Código de Procedimiento Civil y 1.429 del Código Civil, juro la urgencia del caso, solicito la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvие el requisito de la distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los particulares siguientes:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo: Marca: Ford y del Modelo, Tipo, Color y Placas, que presenta el vehículo inspecionado.

SEGUNDO: Si el vehículo antes identificado tiene cuatro (4) cauchos instalados en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en
Testado por el Dr. Roig Marín
Dennis Roig Marín, prefecto de la Ciudad de València, N° 7, 121.
658, Propias N° N° 54, 872, en -
un cajón de productos químicos de Bridgestone - Firestone Venezuela,
C.A., en horas de la mañana del día
de hoy, revistiendo (88) de gramos del
2.000, constante de un (1) peso
pelo, junto con el recibo de acon-
sejamiento que en ningún momento
frecuencia, fui en cuenta al Fu

El Presentante,

[Signature]

La Secretario,

[Signature]
1903

ROSENDO S. TERRADAS, venezolano, pues de edad, de este domicilio, civilmente hábil y titular de la cédula de identidad No. 6.297.265, procediendo en mi carácter de Presidente de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., sociedad mercantil domiciliada en la ciudad de Valencia, Estado Carabobo e inscrita originalmente por ante el Registro de Comercio que llevaba el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial del Estado Carabobo en fecha veintitrés (23) de octubre de 1956, bajo el No. 1, por el presente documento declaro, que mi representada confiere poder amplio, bastante y suficiente cuanto en derecho se requiera y sea necesario, a los abogados en ejercicio: HUMBERTO J. BRICEÑO, HENRY TORREALBA LEÓN, JOSE HENRIQUE D'APOLLO, RAMON J. ALVINS SANTI, MARIA FERNANDA ZAJA, CLEMENTINA DE CASTRO, NAGOT HUES, CARLOS LUIS PINENTEL HENRIQUEZ y FRANCISCO J. VELASQUEZ ARCAI, venezolanos, mayores de edad, hábiles en derecho, titulares de las cédulas de identidad Nos. 3.967.563, 3.661.025, 7.308.171, 6.845.624, 6.825.699, 10.335.670, 9.879.275, 7.139.825 y 7.121.658, respectivamente e inscritos en el INFRASEGADO bajo los Nos. 13.264, 11.568, 19.692, 24.394, 31.501, 54.502, 48.338, 55.660 y 54.875, respectivamente; domiciliados los ocho primeros en los numerales en la ciudad de Caracas, Distrito Federal y el último de los nombrados en la ciudad de Valencia, Estado Carabobo, para que actuando conjuntamente o separadamente, representen y asistan los derechos, acciones e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A., en toda clase de asuntos judiciales o extrajudiciales en que sea parte, por ante cualquier persona, pública o privada, por ante cualquier entidad judicial o administrativa de carácter nacional, estatal, distrital o municipal y en cualquier competencia, orden o jurisdicción, incluyendo pero
ámbitos de derecho, solicitar la decisión según la regla, constituir asociados, seguir el o los inicios en todas sus instancias, incidencias y trámites y ejercer todos los recursos a que hubiere lugar, tanto los ordinarios como los extraordinarios de apelación o invalidación; iniciar y desistir del juicio de amparo; promover y absolver posiciones juradas; promover quejas y querellas y desistir de ellas, y en general, hacer todo cuanto fuere necesario o conveniente para la mejor defensa de los derechos e intereses de BRIDGESTONE FIRESTONE VENEZOLANA, C.A. Dejo constancia que las facultades aquí conferidas son meramente enunciativas y no taxativas y que los apoderados aquí instituidos están facultados para sustituir el presente poder en personas o abogados de su confianza, con todas o algunas de las facultades anteriormente señaladas, con reserva o no de su ejercicio. Este poder no revoca ni deja sin efecto ningún otro poder otorgado con anterioridad por BRIDGESTONE FIRESTONE VENEZOLANA, C.A. A fin de dejar constancia de la existencia legal de la representada, del carácter con que actúe, de sus atribuciones y de los demás particulares relativos a los poderes, y de conformidad con lo previsto en el artículo 155 del Código de Procedimiento Civil, enunció y exhibo en este acto el Notario ante quien se otorgó el presente poder, solicitándole se sirva hacer constar en la nota respectiva, los siguientes documentos: PRIMERO: Copia certificada expedida por el Juzgado Segundo de Primera Instancia en lo Civil y Mercantil de la Séptima Circunscripción Judicial en fecha veintitrés (23) de octubre de 1996, del asiento Registro de Comercio No. 1, contenido del Documento Constitutivo Estatutario original de C.A. FIRESTONE VENEZOLANA (ahora denominada BRIDGESTONE FIRESTONE VENEZOLANA, C.A.) SEGUNDO: Copia certificada expedida por el Registro Mercantil Primero de la Circunscripción Judicial del Estado
REPUBLICA DE VENEZUELA. NOTARIA PÚBLICA FERNANDO DE MÉRIDA, MÉRIDA

1905

1905


LA NOTARIO

[Signature]

NOTARIO PÚBLICO TERCERO

DE MÉRIDA

[Signature]

EL OTORGANTE

[Signature]

LOS TESTIGOS:
1906

REPÚBLICA DE VENEZUELA. ROSA RUEDA DE HOUTMANN. NOTARIO PÚBLICO TERCERO DEL MUNICIPIO AUTÓNOMO VALENCIA DEL ESTADO CARABOBO, QUIEN SUSCRISE CERTIFICADO:

Que ha confrontado la Copia Fotostática constante de: TRES (03)......folios útiles, que se refiere al acta del Documento inserto en esta Notaría. Dicho acta fue realizado por la Ciudadana: SULIDA ROCUERA......mayor de edad, Título de la Cédula de Identidad: Nº V-5.622.001......personas capaces. Autoriza de por mí para hacerse y quíen juntamente conviene suscribir la presente Certificación y cada una de sus páginas. Que dicha Copia se expida a solicitud de par interesado y Decreto de esta misma fecha, los cuales a continuación se inicia:

En Valencia: Notaría Público Tercero de Valencia. Su escribano... Y A,

C. BAKER Y MCKENZIE......mayor de edad, Título de la Cédula de Identidad: Nº 56/18247/05278, de los Libros de Autenticaciones llevados por mí en la Notaría en fecha: 30-06-93......En Valencia, a los VEINTICINCO (25) días del mes de: MAYO............del DOS MIL. El Solicitante (fdo.) Insignificante.

Republique de Venezuela. Notaría Pública Tercera de Valencia. Valencia, 25-

DOS MIL......para el efecto de conformidad con lo establecido en el ARTÍCULO 1204 de la Ley de Registro Público. Se designa a la Ciudadana: SULIDA ROCUERA......mayor de edad, Título de la Cédula de Identidad: Nº V-5.622.001......para que realice la operación de la Copia y suscriba cada una de las páginas junto con la Notaría. (fdo.) ROSA RUEDA DE HOUTMANN. NOTARIO TERCERO DEL MUNICIPIO AUTÓNOMO VALENCIA DEL ESTADO CARABOBO. Valenciana, VICTOR VICTOR, día del mes de: MAYO............del DOS MIL...

1809 AÑOS DE LA INDEPENDENCIA Y 1409 AÑOS DE LA FEDERACIÓN...
GAI£ DEL MUNICIPIO JUAN JOSE MERA DE LA CIRCUNSCRIPCION JUDICIAL DEL
ESTADO CARANGA. Xorén, 28 de junio del 2.000.1904 y 1414.--------

Por presentada la anterior solicitud constante de un (1) folio
útil, junto con el Foder consignado en copia certificada. Désele-
entrega y cumplase en todas sus partes. Al efecto, traslúdese y cons-
tituyase el Tribunal a los sitios indicados por la parte solicitante,
a los fines de practicar la Inspección Judicial solicitada.

El Juez Accidental,

La Secretaria.

En la misma fecha se le dio entrada bajo el Nro. 36/000

Secta,

DOC/emc/amr.
1909 VerDate 11-MAY-2000 14:20 Dec 04, 2001 Jkt 010199 PO 00000 Frm 01915 Fmt 6633 Sfmt 6602 E:\HEARINGS\73739 pfrm11 PsN: 73739
1914

REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

PETITIONER(S): BELKIS COLMENTER

REASON: JUDICIAL INSPECTION

COURT: THIRD MUNICIPAL COURT

DATE OF ENTRY: Day: 02 Month: NOVEMBER Year: 2000

DATE RETURNED: Day: Month: Year:

No. 499

C.22
1915

(Seal)
BOLIVARIAN REPUBLIC OF VENEZUELA
STATE OF TACHIRA
(Cost of Arms)
Fee for Fiscal Stamp – Value: Two hundred and thirty-two Bolívares

(Signed) (Illegible)
(Stamp)
BELKIS M. Colmenero
ATTORNEY
Venezuelan Bar Association No. 52,153
T-2000-1 No. 6393044

Citizen: JUDGE IN AND FOR THE MUNICIPALITIES OF SAN CRISTOBAL AND TORRES IN THE JUDICIAL DISTRICT OF THE STATE OF TACHIRA

In his office:

I, BELKIS M. COLMENERO DE CHACON, a citizen of Venezuela, of age, domiciled in Táchira, State of Táchira, holder of identity card No. 10,023,864, a practicing attorney, registered with the Venezuelan Bar Association under No. 52353, acting on my own behalf and for legal purposes that are of interest to me, hereby respectfully appear before you and state: In accordance with Articles 192, 935 and 938 of the Code of Civil Procedure and Article 1,429 of the Civil Code, I swear that this case is an emergency, and I ask this Honorable Court to set aside the necessary time, thus obviating the distribution requirement, for the Court to be transferred and called into session at an address of which I will advise it in due course, in order to have the following items placed on the record by means of a Judicial Inspection:

ONE: As to the presence at the location at which the Court is in session, of a vehicle described as follows: make: Ford, and the model, type, color and plates evidenced by the inspected vehicle.

TWO: As to whether the vehicle identified above has a tire fitted one on each of its respective rims.

THREE: As to the make, type and serial number of each of the tires fitted on each rim of the inspected vehicle.

FOUR: As to the general condition of the tires installed on each rim of the inspected vehicle and their tread.

FIVE: That photographs be taken of each of the tires fitted on each rim of the inspected vehicle.

SIX: That photographs be taken of the bodywork and condition of the inspected vehicle.

SEVEN: That a statement be made on the record as to the general condition of the vehicle's bodywork.

As to any other fact or circumstances that I reserve the right to indicate in due course.
Pursuant to Articles 472 and 475 of the Code of Civil Procedure, in agreement with the provisions of Article 502 \textit{ejusdem}, I request that the photographic reproduction be ordered of the items specified above and any other item that I expressly reserve the right to indicate at the time said judicial inspection takes place and that, to this end, an expert photographer and an expert mechanic be appointed. Furthermore, I would ask this Court to state for the record that the said photographs were taken in its presence and that they are true and correct reproductions of the facts evidenced at this judicial inspection and I therefore expressly request that said photographs be added to this Judicial Inspection.

Lastly, I would request that once this petition has been complied with, the original be returned to me together with the results thereof. Trusting in the Court's grace, in San Cristóbal, on the date submitted for filing.

(Stamp)

The foregoing petition was submitted for [illegible]
in person by the signatory(ies) thereto at 01:30 p.m., of the office [illegible] on the 31st day of October, 2000, to the clerk, and consists of 01 sheets of paper; and the Citizen Judge was advised.

Acting Clerk

(Signed) [illegible]

(Stamp)

(illegible)

JUDICIAL DISTRICT OF...
THIRD COURT IN AND FOR THE MUNICIPALITIES OF SAN CRISTOBAL AND TORBES IN THE JUDICIAL DISTRICT OF THE STATE OF TACHIRA. San Cristóbal, the second day of November, two thousand.

190* Year of Independence and 141* Year of the Federation

Having reviewed the foregoing petition, which was submitted for filing by the signatory thereto in person, consisting of one (01) sheet of paper. It is ordered that it be admitted and processed as provided by Law. The inspection is scheduled for 4:30 p.m. today, the date of the petition, so that the Court may be transferred and called into session at the address the petitioner indicates to the Court in this City of San Cristóbal, State of Táchira, upon setting aside all of the time needed.

THE JUDGE
(Signed) (Illegible)

BOLIVARIAN REPUBLIC OF VENEZUELA
(Illegible) (Seal)
SAN CRISTOBAL AND TORBES
IN THE JUDICIAL DISTRICT OF THE STATE OF TACHIRA

Temporary Clerk
(Signed) (Illegible)

Entered this same date under No. 499.

(Stamp)
LOGGED IN
ON NOVEMBER 2, 2000
Entry No. 27.
1918

BOLIVARIAN REPUBLIC OF VENEZUELA
STATE OF TACHIRA

(Court of Arms)

Fee for Fiscal Stamps – Value: Two hundred and thirty-two Bolivars

T-2000-1 No. 6393045

Being the time and date scheduled in the foregoing order, having first set aside the necessary time, the Third Court in and for the Municipalities of San Cristóbal and Torbes, together with attorney, Belkis M. Colmenén de Chacón, registered with the Venezuelan Bar Association under No. 52,353, in her capacity as petitioner, was transferred to and called into session at the building located on 8th Avenue in La Concordia, at which the Hermanos Bolívar No. 6-107 Mechanic’s Workshop does business, in this City of San Cristóbal, where citizen, Yocob Bolívar Sepulvedo, holder of identity card No. 81-860,583 was present, to whom a subpoena was served in his capacity as owner of the workshop, advising him of the Court’s mission. The Court then proceeded to make a statement on the record as to the items contained in the inspection, as follows: Item No. ONE: The Court stated for the record that a vehicle was noted in the building in which it [the court] was located, make: Ford; model: Explorer, type: 4x4, color: beige, plates: SA132Z [or SA132Z]; Item No. TWO: The Court stated for the record that a visual inspection revealed that the vehicle described above had the respective tire mounted on each of the vehicle’s rims: Goodyear, type: Wrangler, serial numbers T309636R704MWSN; T3001346R704M4N; T3006146R704MWSN; Item No. FOUR: In order to proceed with the inspection, the Court appointed citizen, José Alirio Chacón Rosales, holder of identity card No. V-9,236,861, as the expert and being present, he accepted the task and was sworn in as provided by Law. With the advice of the expert, the Court then stated for the record that the tires mounted on each of the rims, and also their respective treads, were in perfect condition, except that the front left tire was flat and a little piece had come and/or broken away. Item No. FIVE: The photographer was then appointed, in the person........
of citizen, Jocil Hernán Garzón Sarmiento, holder of identity card No. 10,156,372, who accepted
the task and was sworn in as provided by Law; in order to further pursue items FIVE and
FOUR, he took the respective photographs of both the tires and the bodywork of the inspected
vehicle, and he was given 24 hours within which to deliver them to the Court for them to form
part of this Inspection. Item No. SEVEN: With advice from the expert, the Court stated for the
record that the general condition of the Vehicle’s bodywork was denting in the front left part,
and it was noted that the front end was totally wrecked, the front and rear doors on the left side
were misaligned, the bumper was split, the chassis was twisted, it was noted that the left rear part
was dented and the brake light was broken; it was noted that the front window was broken, the
front left tire rim was twisted. At this point, the petitioner asked for the right to speak, which
was granted, and she stated: “I ask this Court to state the mileage of the vehicle which is the
subject of this inspection for the record, and also, that citizen José Angel Antonio Ortiz Pastron,
holder of identity card No. 3,9996,506, the owner of the vehicle, be present. That is all”. The
Court then stated for the record that the mileage of the inspected vehicle was 38,415 kilometers,
and it was also expressly stated for the record that citizen José Angel Antonio Ortiz Pastron was
present; he said he was the owner of the vehicle and stated: “I was driving from Tariba to San
Cristóbal, when I felt the truck lock up and it lost stability, smashing me against the island in the
middle of Botalo Avenue.” Completed, read and signed by the undersigned, who are in
agreement therewith.

(BOLIVARIAN REPUBLIC OF VENEZUELA
(Signed) (Illegible)
(Signed)
SAN CRISTOBAL AND TORBES
JUDICIAL DISTRICT OF THE STATE OF TACHIRA
THE JUDGE,
(Signed) (Illegible)
THE SUBPOENED PARTY,
(Signed) (Illegible)
THE EXPERT,
(Signed) (Illegible)
(Stamp)
LOGGED IN
On November 2, 2000
Entry No. 3
1920

BOLIVARIAN REPUBLIC OF VENEZUELA
STATE OF TACHIRA
(Coat of Arms)
Fee for Fiscal Stamp – Value: Two hundred and thirty-two Bolívares

T-2000-1 No. 6393046

(Partial Stamp in left margin)
(Illegible)
Judicial District of the State of Táchira

THE PHOTOGRAPHER, (Signed) (Illegible)

THE PETITIONER,
(Signed) (Illegible)

OWNER OF THE VEHICLE,
(Signed) (Illegible)

TEMPORARY CLERK,
(Signed) (Illegible)

(Stamp)
LOGGED IN
On November 2, 2000
Entry No. 3

(Two illegible stamps in left margin)
JORKI HERNAN GARZON, a citizen of Venezuela, of age, legally competent, holder of identity card No. V-10,156,372, personally appeared before this Court during office hours today, the sixth (6th) day of November, 2000, and proceeded to state: "I am hereby delivering the photographs taken at the Judicial Inspection at which I was appointed Expert Photographer". That is all, completed, read and signed by the undersigned, who are in agreement therewith.

(Signed) (Illegible)

(Signed) (Illegible)

(San Cristobal) TORRES

LOGGED IN
On November 6, 2000
Entry No. 25
1922

(Three partial stamps in left margin)
San Cristóbal and
Torbes
(Seal)
Judicial District...

THIRD COURT IN AND FOR THE MUNICIPALITIES OF SAN CRISTOBAL AND TORBES IN
THE JUDICIAL DISTRICT OF THE STATE OF TACHIRA. San Cristóbal, the seventh day of
November, two thousand.

190th Year of Independence and 140th Year of the Federation

Having reviewed the filing dated November 6, 2000, signed by citizen JORKI HERNAN
GARZON, in his capacity as expert photographer, pursuant to which he delivered the
photographs taken at the Judicial Inspection conducted by this Court, this Court agrees to add the
above-mentioned photographs to this file.

THE JUDGE

(Stamp)
REPUBLIC OF VENEZUELA
THIRD COURT IN AND FOR THE MUNICIPALITIES OF
(Seal)
SAN CRISTOBAL AND TORBES
JUDICIAL DISTRICT .......

(signed) (illegible)
Estrella Davila Ocue

The Temporary Clerk
(Signed) (illegible)
Attorney, Sonia Contreras

Complied with as ordered on the same day.
(signed) (illegible)

(Stamp)
LOGGED IN
On November 7, 2000
Entry No. 48
NOTE:

This cover sheet should be used to cover the last sheets forming a file.

Its purpose is to protect the documents and prevent their wear and tear.

(Partial stamp in right margin - illegible)

C-30
1924

Certificate of Accuracy

STATE OF FLORIDA  
) SS
COUNTY OF MIAMI-DADE )

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection No. 499, dated November 2, 2000, concerning an inspection of the Ford Explorer with plates numbered SAI-32Z, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel  
Miami, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 2nd day of February, 2001.

Conception Larrubia  
Notary Public  
State of Florida

[Seal] My commission expires: 11-14-02

Conception Larrubia  
Notary Public  
State of Florida

[Seal] My commission expires: 11-14-02
1925

REPUBLICA DE VENEZUELA

PODER JUDICIAL

Jurisdicción Civil

SOLICITUDES

ARCHIVO

SOLICITANTE(S): BELKIS COJIMEX

MOTIVO: INSPECCION JUDICIAL

JUZGADO: TERCERO DE MUNICIPICOS

Fecha de Entrega: Día 02 Mes. NOVIEMBRE Año 2000

Fecha Devolución: Día Mes Año

C-22
1. Ciudadano
2. JUEZ DE LOS MUNICIPIOS SAN CRISTOBAL Y TORRES DE LA CIRCUNScripción
3. JUDICIAL DEL ESTADO TACHIRA.
4. Su Despacho.
5. Yo, BELKIS M. COLMENTER DE CHACON, venezolana, mayor de edad, domiciliada en Tarija,
6. Estado Táchira, titular de la cédula de identidad N° 10 035 864, abogado en ejercicio, inscrito en el
7. INPREABOGADO bajo el N° 52333, actuando en mi propio nombre y para fines legales que me
8. interesan, ante usted respetuosamente ocupo y expongo: De conformidad con los artículos 192, 936
9. y 938 del Código de Procedimiento Civil y 1 429 del Código Civil, juro la urgencia del caso, solicito
10. la habilitación del tiempo necesario de este honorable Tribunal, y en consecuencia se obvie el
11. requisito de distribución, con el fin de que el Tribunal se traslade y constituya en la dirección que
12. oportunamente le señalaré, a fin de dejar constancia por vía de Inspección Judicial, de los
13. particulares siguientes:
14. PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo
15. Marca: Ford y del Modelo, tipo, Color y placas que presenta el vehículo inspeccionado.
16. SEGUNDO: Si el vehículo antes identificado tiene el respectivo caucho instalado en cada uno de sus
17. oíes.
18. TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines
19. del vehículo inspeccionado.
20. CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del
21. vehículo inspeccionado y su banda de rodamiento.
22. QUINTO: Se tomen fotografías de cada uno de los cauchos instalados en cada uno de los rines del
23. vehículo inspeccionado.
24. SEXTO: Se tomen fotografías de la carrocería y las condiciones en que se encuentra el vehículo
25. inspeccionado.
26. SEPTIMO: Se deje constancia de las condiciones generales en que se encuentra la carrocería del
27. vehículo.
28. De cualquier otro hecho o circunstancia que me reserve el derecho de señalar en su debida
29. oportunidad.
30. Solicito de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en
1927

Concordando con lo previsto en el artículo 502, se ordene la reproducción fotográfica de los hechos anteriormente descritos y de cualquier otro que expresamente se reserva señalar en la oportunidad de la práctica de dicha inspección judicial y que, a tal efecto se designe una persona fotógrafo y un técnico mecánico. Asimismo, solicito al Tribunal que deje constancia que las referidas fotografías fueron realizadas en su presencia, y que son reproducciones fieles y exactas de los hechos evidenciados en la presente inspección judicial, para lo cual solicito expresa mente que dichas fotografías sean agregadas a la inspección judicial.

Pido por último, que una vez evacuada la presente solicitud, me sea devuelto el original junto con sus resultados. Es gratia que espero en San Cristóbal, en la fecha de su presentación.

Presentado la anterior por el señor [nombre] a las 09:30 p.m. de la fecha anterior.

Ante el escrito constante de c. [nombre]
y se dio cuenta a ciudadano [nombre].

[Nota: Firmas y sellos legibles]

La Secretaría, [nombre]
JUICIO DE PROCEDER DE LOS MUNICIPIOS SAN CRISTÓBAL Y TORRES DE LA CIRCUNSCRIPCIÓN JUDICIAL DE LA ESTADO Táchira, San Cristóbal.

Dos de noviembre del dos mil.

Vista la solicitud anterior, presentada personalmente por su firme, constante de un (01) folio útil, desde entrada y trámite de los correspondientes. Para la práctica de la inspección se fija el día de hoy, fecha del auto, a las 4:00 p.m., para que el Tribunal se traslade y contemple en lo que solicite el Tribunal la parte solicitante de esta ciudad de San Cristóbal, Estado Táchira, previa la habilitación de todo el tiempo que sea necesario.

La Secretaria Temporal.

En la misma fecha se lo dio entrada bajo el N° 4/99.

DIARIZADO

Día 2/11/99

Asistio N°...
1929
1930 del ciudadano José Aristides San Martín, del de la ciudad de distrito el 10 d. 358. 22, quien vivió el año y parte elic de su domicilio en la ciudad. Se dice que fue desplegado en particular su idolatría. 

y cuanto ha sido expresado en las anteriores fases anteriores, tanto por el candidato como en la comisión del plan de inspección. Se le entiende a pesar de su hora, hay una circunstancia en la que el Tribunal que fue parte de la comisión, se expuso el Tribunal en concreto del plan, se expuso que las medidas se tomaron a la comisión del plan.

solo se de observar en la parte delantera izquierda, con una observación del frontal totalmente deteriorado, los puntos de la línea y de la línea del todo, en los que están descubiertos, el paralelogramo patente, el chasqueando, la parte superior izquierda se observa y se asegura el uso. Finalmente se observa par- to, el fin del camino, el paralelogramo izquierdo está tocada. En este sentido se le pide al juez de paz, lo solicitado y resuelto que se le haya sido contestado. Se expuso el Tribunal en concreto del plan, se expuso que las medidas se tomaron a la comisión del plan, se expuso que las medidas se tomaron a la comisión del plan.

El Juez

El Jefe de la comisión de distrito el 9 d. 358. 996. 996, respetando del plan de inspección, así como también, que se le haya sido contestado. Se expuso el Tribunal en concreto del plan, se expuso que las medidas se tomaron a la comisión del plan, se expuso que las medidas se tomaron a la comisión del plan.

El Presidente

Diálogo
En horas de Despacho del día de hoy (6) de Noviembre de 2.000, comparece ante este Tribunal JORKI HERNAN GARZON, venezolano, mayor de edad, habló titular de la cédula de identidad N° V: 10 154.372 y seguidamente expone: "Consigo en este acto fotografías tomadas en la Inspección Judicial para la cual fui designado Práctico fotógrafo". Es todo, terminó, se leyó y conforme firmas.

[Signature]

[Signature]

DIARIZADO

El 

6 de Noviembre

Adierno N° 035
NOTA:
Esta carpeta debe ser utilizada para cubrir los últimos folios que conforman un expediente. Su finalidad es proteger los documentos evitando deterioro.

C-30
JUZGADO TERCERO DE LOS MINICIPIOS SAN CRISTÓBAL Y TORRES DE LA CIRCUNSCRIPCION JUDICIAL DEL ESTADO TACHIRA, San Cristóbal

Siete de Noviembre de dos mil.

1908 Y 1408

Vista la diligencia de fecha 06 de noviembre de 2000, suscrita por el ciudadano JORGE HERNÁN GARRÓN, con el carácter de práctico fotógrafo, mediante la cual consigna fotografías tomadas en la Inspección Judicial efectuada por este Juzgado; este Tribunal acuerda agregar al presente expediente las fotografías anteriormente mencionadas.

La Secretaria,

[Autógrafo]

En la misma fecha se cumplió lo ordenado.

[Diarizado]

[Fecha y Firmas]
REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

No. 10.381

PETITIONER(S): MORENO, Luis Lawrence.

REASON: JUDICIAL INSPECTION.

COURT: SECOND IN AND FOR THE MUNICIPALITY OF GUANARE IN THE JUDICIAL DISTRICT OF THE STATE OF PORTUGUESA.

DATE OF ENTRY: Day: 21 Month: FEBRUARY Year: 2000

DATE RETURNED: Day: Month: Year:

C.22

No. 10.381

CHU0091
<table>
<thead>
<tr>
<th>STATE OF PORTUGUESA</th>
</tr>
</thead>
<tbody>
<tr>
<td>BAR ASSOCIATION</td>
</tr>
</tbody>
</table>

Receipt No. 55701
Guanare, February 21, 2000

PROFESSIONAL FEES

Document filed by: Attorney LUIS LAURENSE MORENO
Received from: SAME
The sum of: EIGHTY THOUSAND BOLIVARS
AND N0/100
For: VISUAL INSPECTION

For Bs. 80,000.00

(Signed, illegible)
Collector

CHU0092
1942

Citizen
SECOND JUDGE IN AND FOR THE MUNICIPALITY OF GUANARE IN THE JUDICIAL
DISTRICT OF THE STATE OF PORTUGUESA
In his office.-

I, Luis Laurence Moreno, a citizen of Venezuela, of age, a practicing attorney, holder of identity
card No. V-6,900,450, domiciled in the city of Barinas in the State of Barinas and registered with
the Venezuelan Bar Association under No. 35,517, appearing on my own behalf, respectfully
appeal before you and would state: Pursuant to the provisions of Article 1429 of the Civil Code
in agreement with Article 472 of the Code of Civil Procedure, I would ask the Court of which
your Honor is in charge to be transferred and called into session at the premises of the parking lot
known as Curacao located in the Union District of this City of Guanare, in order to conduct a
judicial inspection on the vehicle: MAKE: FORD; PLATES: MAN-188, CHASSIS
SERIAL NUMBER: AJU3VP21870; ENGINE SERIAL NUMBER: -VA21870-; MODEL:
SPORT WAGON; YEAR: 1997; COLOR: TWO TONE BLACK; CLASS: TRUCK;
TYPE: SPORT WAGON; USE: PRIVATE, owned by citizen, CLAUDIA SOFIA HOET
MACHADO, Venezuelan, of age, holder of identity card No. V-11,387,694, domiciled in the
City of Caracas, in order to place the following items on the record: ONE: That a statement be
placed on the record as to the identification and characteristics of the vehicle that is the subject of
this Inspection. TWO: That a statement be placed on the record as to the general condition of
the vehicle and any damage to it. THREE: That a statement be placed on the record as to the
identification and characteristics of each of the tires on the vehicle; this should include the make,
model, size and any other comment the Court or the Experts should make. FOUR: That a
statement be placed on the record as to condition of each of the tires on the vehicle. FIVE: That
a statement be placed on the record .............

CHU0093
as to a description of the location at which the vehicle is parked in said Curacao Parking Lot.

SIX: That the Court, with the assistance of the Experts who have been sworn in to conduct the Inspection, state the facts and circumstances that (text missing) content of this Judicial Inspection for the record. I also ask, pursuant to the provisions of Articles 473 and 476 of the Code of Civil Procedure, that the citizen Judge order the photographic or audio visual reproduction of each of the items listed and that it be accompanied by any necessary experts of its choice. SEVEN: That a statement be placed on the record as to any other item that is indicated at the time the inspection is conducted.

Once the requested Judicial Inspection has been conducted, I would ask the Court to return the original to me with the results thereof.

In order to comply with the requested Inspection, I swear that this matter is an emergency and that all of the time needed be set aside for the holding thereof as provided by Law.

Trusting I will receive justice in the City of Guanare on the twenty-first day of February in the year two thousand (02-21-2000).

(Signed) (Illegible)
V-6,900,450

(Stamp)
21-02 2000
11 a.m. 01
(Signature - illegible)
SECOND COURT IN AND FOR THE MUNICIPALITY OF GUANARE IN THE FIRST
CIRCUIT OF THE JUDICIAL DISTRICT OF THE STATE OF PORTUGUESA.

Guanare, February 21, 2000
189th Year of Independence and 141st Year of the Federation

Having received the foregoing petition, it is ordered that it be admitted and (text missing)
...as a result, it is ordered that the Court be transferred and called into session at the location
indicated in the petition. Since the Clerk of the Court is unable to attend the Judicial Inspection,
citizen, PASCUALA MONTES MATERAN, holder of identity card No. V-8,063,932, is
appointed as the Acting Clerk, and she accepts the assignment and swears that she will properly
and faithfully fulfill her duties.

The Judge
(Signed) (Illegible)
Attorney Oscar Mahin Mejias Ramos.

Acting Clerk
(Signed) (Illegible)
Pascuala Montes M.

Clerk
(Signed) (Illegible)
Zoraida H. de Alvarez

Immediately admitted under No. (Illegible)
Clerk
(Initials – illegible)

LOGGED IN
Entry No. 1

CHU0095
At 12:30, midday today, the twenty-first of February, two thousand, The Court was transferred and called into session at the Curacao Parking Lot located in this City of Guanare in the State of Portuguesa, in order to conduct the Judicial Inspection requested and ordered in the preceding order. The Petitioner, LUIS LAURENCE MORENO, a citizen of Venezuela, of age, an attorney, holder of identity card No. 6,900,450, acting on his own behalf was present, as was a person who said his name was as follows: TRAIMY FREITES, a citizen of Venezuela, of age, holder of identity card No. (cut off) 31,847, who said he was the Administrator of the premises at which the Court was located; he was served with a subpoena regarding this mission. Having reviewed the need to appoint an Expert and an Photographer, the Court did so as follows: ASDRUBAL JIMENEZ and MARIA DE LOS ANGELES MORALES, citizens of Venezuela, of age, residents of this City, holders of identity cards Nos. 12,239,942 and 13,605,386 respectively, who accepted the assignment and swore that they would properly and faithfully fulfill their duties. The photographer who had been appointed showed the Court the roll of film to be used, make: LUCKY, with twelve exposures, that would be used to take the photographs at this inspection. The Court then went on to place the items contained in the petition on the record. ITEM NO. ONE: There was a vehicle with the following characteristics: make: Ford, plates: MAN-18B, chassis serial no.: AJU3VP21870, model: Sport Wagon, year: 1997, color: two tone black, class: truck, type: Sport Wagon, use: Private, inside the parking lot at which the Court had been called into session. ITEM NO. TWO: It was noted that the Vehicle's bodywork was totally damaged. It was noted that the engine was in good condition. ITEM NO. THREE: The tire on the front right side had the following characteristics: make: Firestone Wilderness AT, No. P2 35/75R15-M/S. The remaining tires have the following characteristics: Firestone Radial ATX No. P2 35/75R15-M/S. ITEM NO. FOUR: It was noted that the ties on the vehicle were in average condition .......
...with the exception of the one on the back to the left which had no tread. The tires on the right side had air in them, and those on the left side were flat. ITEM NO. FIVE: The inspected vehicle was inside the Parking Lot to the left side of same, and to the (cut off), and the ground where it was parked was earth, with low underbrush. The photographer who had been sworn in told the Court that she had taken 12 photographs and it was ordered that these be developed at the establishment known as FOTO (text missing) in this City of Guanare in the State of Portuguesa. Having fulfilled its mission, the Court agreed to return to its seat at one forty-five in the afternoon. Completed, read and signed by those below, who are in agreement therewith.

Judge
(Signed) (Illegible)
Attorney Oscar Mahin Mejias Ramos.

REPUBLIC OF VENEZUELA
Second Court in and for the Municipality of Guanare
First Circuit in the Judicial District of the State of Portuguesa
(Guárico)
GUANARE

Petitioner
(Signed) (Illegible)
Attorney Luis Laurence Moreno

The Subpoenaed party
(Signed) (Illegible)
Thaimy Freites

Expert
(Signed) (Illegible)
Aureo Jimenez

Photographer
(Signed) (Illegible)
Maria de los A. Morales

Acting Clerk
(Signed) (Illegible)
Pascuala Montes M.-

LOGGED IN
Entry No. 4
During office hours today, February 23, 2000, María de los Ángeles Morales, holder of identity card No. 13,605,386, personally appeared before this Court in her capacity as Expert Photographer, and stated: I am hereby delivering thirteen (13) photographs taken of the vehicle: Ford, truck, plates “MAN-18F”, which were taken at the Curacao Parking Lot in this City. That is all”. Addendum: There are not thirteen (13) photographs, there are twelve (12). That is all. Completed, read and signed by the undersigned who are in agreement therewith.

The Appointee
(Signed) (Illegible)

REPUBLIC OF VENEZUELA
(Illegible)
GUANARE
Clerk
(Signed) (Illegible)
The undersigned Attorney, Oscar Mahin Mejias Ramos, Second Judge in and for the Municipality of Guanare in the First Circuit of the Judicial District of the State of Portuguesa, CERTIFIES: That the foregoing photograph was taken on the same day on which Judicial Inspection 21-02-2000 was conducted, by the Photographer, citizen Maria de los Angeles Morales, who had been duly sworn in. Guanare, February 23, 2000.

Judge

(Stamp)

REPUBLIC OF VENEZUELA
(Illegible)
GUANARE
(Illegible)

(Signed) (Illegible)
Attorney Oscar Mahin Mejias Ramos.
The undersigned, Attorney Oscar Mahín Mejías Ramos, Second Judge in and for the Municipality of Guanare in the First Circuit of the Judicial District of the State of Portuguesa, CERTIFIES: That the foregoing photograph was taken on the same day on which Judicial Inspection 21-02-2000 was conducted, by the Photographer, citizen María de los Ángeles Morales, who had been duly sworn in. Guanare, February 23, 2000.

Judge
(Signed) (Illegible)
Attorney Oscar Mahín Mejías Ramos

[Illegible stamp]

The undersigned, Attorney Oscar Mahín Mejías Ramos, Second Judge in and for the Municipality of Guanare in the First Circuit of the Judicial District of the State of Portuguesa, CERTIFIES: That the foregoing photograph was taken on the same day on which Judicial Inspection 21-02-2000 was conducted, by the Photographer, citizen María de los Ángeles Morales, who had been duly sworn in. Guanare, February 23, 2000.

Judge
(Signed) (Illegible)
Attorney Oscar Mahín Mejías Ramos

CHU0102
Certificate of Accuracy

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English, of the Judicial Inspection, No. 10.381, dated February 21, 2000, concerning an inspection of the Ford Sport Wagon with plates numbered MAN-18B, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/29/03

[Stamp]
REPUBLICA DE VENEZUELA

FÓGIDA JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE (S) MENDOZA, Luis Laurence,

MOTIVO: INSPECCIÓN JUDICIAL.

JUEZADO: SEGUNDO DEL MUNICIPIO GUAIRE DEL PRIMER CIRCUITO DE LA
CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO POTOSÍ.

FECHA DE ENTRADA: Día 21 Mes FEBRERO Año 2.000

FECHA DEVOLUCIÓN: Día Mes Año
COLEGIO DE ABOGADOS
DEL ESTADO PORTUGUESA

ACUERDO N.° 35701
Received 21 de febrero de 1996

HORARIO PROFESIONAL

Asesoría de: F. M. F. M.
La Estación de: RENACEN AL JARDIN DE IMPRES CÁPOLIN
Por precio de: 70.000,00 PROFESOR ESCORZÁ

Por Bs. 80.000,00

Firma
1953

Jerez Segundo del Municipio Guanare de la
Reconstrucción Judicial del Estado Portuguesa.

Jefe

1. Luis Laurence Moreno, venezolano, mayor de edad, abogado en
arbitrio, titular de la cédula de identidad N° V-8000450, domiciliado en
ciudad de Barinas, Estado Barinas, e inscrito en el Instituto de previsión
social del Abogado bajo el N° 35.817, procediendo en mi propio nombre,
me pido que me den custodia de los siguientes articulados: Marca: FORD; Placas: M-A-N 188, Serial Carrocería: JUVIP21870; Serial de Motor: -VA21870-; Modelo: SPORT WAGON; Año: 1997; Color: Negro dos Tonos; Clase: Amistada; Tipo: Sport Wagon; Uso: Particular; propiedad a la ciudadana Claudia Sofia Hoet Mendoza, venezolana, mayor de edad, titular de la cédula de identidad N° V-11.397 694 y domiciliada en
ciudad de Caracas, con el propósito de dejar constancia de los
articulados siguientes. Primero: Que se deje constancia de identificación característica del vehículo objeto de esta inspección. Segundo: Que se deje constancia del estado general en que se encuentra el vehículo y los daños que presenta. Tercero: Que se deje constancia de la identificación y características de cada uno de los neumáticos del vehículo; para ello debe tomar la foto en cuenta marca, modelo, medidas y calibración; y cuarto: otra opinión que debe hacer el Tribunal o los Prácticos. Quinto: Que se deje constancia del estado en que se encuentran cada uno de los neumáticos del vehículo. Quinta: Que se deje constancia
de la característica del lugar donde se encuentra estacionado el vehículo en el referido Estacionamiento Curasco. Sexta: Que el Tribunal atienda por los prácticos que fueron juramentados para la práctica de la inspección dejen constancia de las circunstancias y hechos que amparan contenido de la presente inspección judicial. Así mismo solicita el ciudadano Juez, que de conformidad con lo establecido en los artículos 473 y 476 del Código de Procedimiento Civil, ordene la reproducción fotográfica o audiovisual de cada uno de los particulares anotados y se haga acompañar de prácticos de su elección que sean necesarios. Séptima: Que se ofrezca constancia de cualquier otro particular que se señale al momento del momento de practicarse la inspección. Cumplicie que haya sido la inspección Judicial solicitada, ruego al Tribunal me sea devuelto el original con sus resultados. Para la evacuación de la inspección solicitada juro la urgencia del caso y se dé el tiempo que sea necesario para la culminación de la misma conforme la Ley. Es justicia que espero en la ciudad de Guanare a los veintiún días del mes de febrero del año dos mil (21-02-2000).
JUICIO SEGÚN EL MUNICIPIO GUALARE DEL PRIMER CIRCO.

COINCIDENCIA JUDICIAL DEL ESTADO PONTUQUIES.

Guaire, 21 de Febrero de 2145

1899 y 1412.

Por recibida la anterior solicitud, dísele entrada y en consecuencia traslárse y constitúyase el Tribunal el día en la solicitud. Por cuanto la Secretaría del Tribunal

asistir a la práctica de la Inspección Judicial, se designa

pida a la ciudadana PASQUA HONTES MATERAN, titular de la identidad N° 8,681,532, quien agradece el cargo de recibir bien y fielmente con su deber.

Firma: 

A. O. J. 

La Secretaria. 

Dianzado 

Acta No. 4
En el día de hoy, Veintitrés de Febrero de Doce Mil, siendo las doce, cuarto del mediodía, se trasladó y constituyó el Tribunal en el Estado de Venezuela, ubicado en esta ciudad de Guanare del Estado Portugues, con el fin de practicar la Inspección Judicial solicita el que se da en el auto anterior. Presenta el solicitante Luis Laurencio, mayor de edad, Abogado, titular de la cédula de identidad No. 6.900.490, residiendo en el propio domicilio, y presente igualmente una persona que dijera ser y llevara su cédula escrita: THAMY PEREZ, mujer, mayor de edad, titular de la cédula de identidad No. 31.847, quien dijera ser la administradora del auto donde se encontró el Tribunal, quien fue notificada de la presente misión. Visto la necesidad de designar Práctico y Fotógrafo el Tribunal lo hace en la forma siguiente: ABANIAL JIMENEZ y MARIA DE LOS ANGELES MORALES, mayor de edad, mayores de edad, de este domicilio, titulares de las cédulas No. 41.229,942 y 40,602,386 respectivamente, quienes atendiendo al cargo y juntamente con sus deberes. La designación que se hace al Troncal un rol fotográfico para tomar las fotografías en la presente inspección. Seguidamente el Tribunal pasa a dejar constancia de las particularidades contenidas en la solicitud. PRIMERA: Dentro del Estacionamiento donde se encuentra el vehículo de los siguientes características: Marca: Ford, Placas: MHA-183, Serial Carrocería: AJUVF13. Modelo Sport, Wagon, Año 1997, Color: Negro con muga, Cilindros: 4, Tipo: Sport Wagon, Único Particular, SEGUNDO: El vehículo se presenta con daño total de carrocería. El motor es observado en buen estado. TERCERO: El neumático del lado delantero derecho es de las siguientes características: Marca Firestone Firestone AT No. P2 275/75R15-D. Cuarto: Los rieles de los vehículos son de las siguientes características: Firestone del Año 2002, P2 275/75R15-D. CASO: Los rieles del vehículo son de...
...serven en regular estado, con excepción del colocado en la parte trasera del lado izquierdo que no tiene banda de rodamiento. Los ymícicos del lado derecho tienen aire, los del lado izquierdo están desinflados. QUINTO: El vehículo inspeccionado se encuentra dentro de Estacionamiento, hacia el lado izquierdo del mismo y a la intercepción el piso donde se encuentra de tierra, con un poco de agua. El fotógrafo juramentado informa al Tribunal que tomó 12 fotografías cuales se ordenan su revelado en el Establecimiento denominado FON en esta ciudad de Guanare del Estado Portuguesa. El Tribunal ha cumplido su misión acuerda regresar a su sede y cuarenta cinco minutos de la tarde. Terminó, se leyó y conforme firmaron:

El Juez: [Sello]

El Solicitante: [Sello]

Abogado Luis Lorente Moren 

[Notificado: ]

El Práctico: [Sello]

[Adelardo Jiménez: ]

[La Secretaria AOA: ]

[María de los Ángeles Morales: ]

[Legado: ]

[Notario: ]

[Notariado: ]

[Asiento No: ]
1958

P-96-1 No. 0898209

In força da Decisão do DIA 15 ago 21 de Abril 1958, e desde 28 de Junho deste ano, sob a urgência de Vos. Excelências, neste acto, certifico-se a identidade nº 13.605.394, na sua escrita de registro oficial, expedida por este ets. (1) Fotografia, que corresponde à revista Ford, Quadrado, n.º 760-183, em que se encontra impresso o acto de 11 deste mês, a este "Obras de 1958" (1) que chega (2) fotografia, esta obra. Tenho a honra de lhe cobrar formar-se.

[Assinatura]

[Assinatura]

El Juez:

Ab. Oscar Mahín Mejías Ramos.
El suscrito Abogado Oscar Mahín Mejías Ramos, Juez Segundo del Municipio Guanare del Primer Circuito de la Circunscripción Judicial del Estado Portuguesa, CERTIFICA: Que la anterior fotografía fué tomada el mismo día en que fué practicada la Inspección Judicial 21-02-2.000, por la fotografa juramentada ciudadana: Marí a de los Angeles Morales. Guanare, 23 de Febrero de 2.000.-

El Juez.
[Signature]

Ab. Oscar Mahín Mejías Ramos.

El suscrito Abogado Oscar Mahín Mejías Ramos, Juez Segundo del Municipio Guanare del Primer Circuito de la Circunscripción Judicial del Estado Portuguesa, CERTIFICA: Que la anterior fotografía fué tomada el mismo día en que fué practicada la Inspección Judicial 21-02-2.000, por la fotografa juramentada ciudadana: Marí a de los Angeles Morales. Guanare, 23 de Febrero de 2.000.-

El Juez.
[Signature]

Ab. Oscar Mahín Mejías Ramos.
1964

REPUBLIC OF VENEZUELA

(Coat of Arms)

JUDICIAL BRANCH

CIVIL JURISDICTION

PETITIONS

RECORDS

No. 5-389

PETITIONER(S): Claudia Sofia Hoet

REASON: Judicial Inspection

COURT: Twentieth Municipal Court

DATE OF ENTRY: Day: 14 Month: August Year: 2000

DATE RETURNED: Day: Month: Year:

No. 5-389

C.22

EUS0064
Citizen
Twentieth Municipal Judge in and for the Judicial District of the Metropolitan Area of Caracas.
In his office

I, CLAUDIA SOFIA HOET MACHADO, a citizen of Venezuela, of age, domiciled in this City and holder of Identity Card No., 11,307,694, represented in this cause by attorney, Carlos Domínguez H., registered with the Venezuelan Bar Association under No. 31,491, appearing on my own behalf and in my capacity as the legal owner of an automobile described as follows:
Plate: MAN-18B, Chassis Serial No. AJU3VP21870, Engine Serial No. VA21870, Make: Ford,
Model: Sport Wagon, Year: 1997, Color: Two-tone black, Class: Truck, Private Use, my capacity being evidenced by a document that was duly authenticated at the Twenty-ninth Notary Public's Office for the Municipality of Libertador in the Federal District, on the eleventh (11th) day of August, 2000, under No. 38, volume 79, which, for examination purposes, I submitted to the Court and would ask that it be returned to me after the certification thereof for the record,
hereby appear before you in order to state:
I would ask this Court to be transferred and called into session at the establishment known as “Autos y Partes”, located in Warehouse No. 17, Via Manzanares, El Baruteño Industrial Center, in the Municipality of Baruta, in order to place the following items and circumstances on the record by means of a Judicial Inspection:
ONE: The identification of the legal entity on whose premises the Court has been called into session.
TWO: The identification of the individual who is in charge of or responsible for the establishment at which the Court has been called into session at the time the Inspection takes place.

(Initials – illegible)

EUS0065
THREE: That there is a vehicle owned by me, as described above, in the parking lot of the premises at which the Court has been called into session.

FOUR: As to the condition of the vehicle described above and the damage to it.

FIVE: That a statement be placed on the record as to the tires on the vehicle and that the serial numbers, make, model characteristics and condition be identified.

SIX: As the legal owner, I would ask that the tires described above be sealed by the court and that it be ensured that they cannot be taken out of the truck without breaking the seal affixed to them. I also request that a statement be placed on the record as to the type of seal used and that it be clearly identified.

SEVEN: As the legal owner, I request that the vehicle described above be covered and sealed by the court and that it be ensured that the vehicle cannot be moved or maneuvered without breaking the seal affixed to it. In addition, I request that a statement be placed on the record as to the seal used and that it be clearly identified.

EIGHT: That a statement be placed on the record as to the date on which the above-described truck arrived at these premises, pursuant to a statement from the person in charge or representative of the premises at which the Court has been called into session, or pursuant to any existing documentation; the place where it came from and how it was transported.

NINE: That a statement be placed on the record as to whether anything was removed from the vehicle and as to whether any accessory or any part of same was changed, pursuant to a statement from the person in charge or representative of the premises at which the Court has been called into session, or pursuant to any existing documentation.

TEN: As to any other circumstance or item that is requested at the time the inspection is conducted.

(Initials) (Illegible)

EUS0066
1967

We request that the Court appoint an expert photographer to assist the Court for purposes of conducting this Judicial Inspection and in order to place a graphic statement of the facts and circumstances on the record.

Lastly, I state under oath that this matter is an emergency and I would ask the Court to be so kind as to set aside all of the time needed for conducting this inspection, and that once it has been conducted, the original be returned to me together with the results thereof.

In Caracas, on the date of the filing hereof.

(Signed) (Illegible)  (Signed) (Illegible)

EUS0067
TWENTIETH MUNICIPAL COURT IN AND FOR THE JUDICIAL DISTRICT OF THE
METROPOLITAN AREA OF CARACAS. Caracas.
The fourteenth day of August, two thousand.

190th Year of Independence and 141st Year of the Federation

The necessary time having been set aside, since the petitioner stated under oath that the matter
was an emergency, and having reviewed the foregoing pleading, this Court agrees to the requests
and consequently is scheduling 9:15 a.m. on August 16, 2000 as the time for fulfilling the
requests.
(Signed) (Illegible)
JUDGE

(Stamp)
REPUBLIC OF VENEZUELA
TWENTIETH MUNICIPAL COURT
(Seal)
IN AND FOR THE JUDICIAL DISTRICT
OF THE METROPOLITAN AREA OF CARACAS

(Signed) (Illegible)
ACTING CLERK

ALBA.
At 9:15 a.m. today, the sixteenth (16th) day of August, two thousand (2,000), the Court, having set aside the necessary time because the petitioner swore to the emergency nature of the case under oath, was transferred to and called into session at the following address: the premises of Autos y Partes, Warehouse No. 17, Via Manzanares, El Baruteño Industrial Center in the Municipality of Baruta. The Court thereupon appointed citizen, Jaime Ernesto Flores Espinoza, holder of Identity Card No. 14,275,332 as the Expert Photographer, and being present, he accepted the assignment and was sworn in as provided by Law; he asked the Court to give him six (6) working days within which to deliver the photographs taken. The Court thereupon agreed to his request and granted him six (6) days to deliver the photographs that had been taken. The Court next stated for the record that the petitioner was present together with the attorney who was representing her. Next, a person who stated his name was Juan Emilio Rodríguez, holder of Identity Card Number 5,538,424, was present and the Court subpoenaed him for its mission and being mindful of this, he allowed it access to said establishment. At this point, the Court then placed the requested items on the record.........
by means of a Judicial Inspection:  

**ITEM NO. ONE:** The Court stated for the record that the legal entity on whose premises it had been called into session was Autos y Partes JBSOV C.A.

**ITEM NO. TWO:** The Court stated for the record that the subpoenaed party stated that he was in charge while the owners, Jean Benavides and Oswaldo Vargas, were not there.

**ITEM NO. THREE:** The Court stated for the record that there was a vehicle on the property on which it had been called into session, Make: Ford, Model: Sport Wagon, type, year: 1997, color: two tone black, type: truck, plates: MAN-14B, chassis serial number AU3V221870, engine serial number VA21870, belonging to and owned by the petitioner, as confirmed by the copy of the buy-sell document attached to the petition.

**ITEM NO. FOUR:** The Court stated for the record that the vehicle that was the subject of the inspection was totally unusable and wrecked and according to the Insurance company, it was a total loss; it was noted that the bodywork was totally smashed, the tires had burst, and it was seen that the dashboard and upholstery inside were in a very bad state. The greatest damage was located on the front on the driver's side.

**ITEM NO. FIVE:** The Court stated ........
for the record that the vehicle that was the subject of the inspection had five tires, Make: Firestone, four of them were model Radial TX and one was a Wilderness AT model, the serial number on all of them was P235/75 R/5, and they were all in bad condition; the rear tire on the driver's side had no tread, the rim on the wheel that, according to the subpoenaed party, was the rear one on the other side, was completed buckled and the tire was broken and scratched, and the two front tires were in bad condition and completely flat. ITEM NO. SIX: The Court stated for the record that at the request of the petitioner, the tires described above were sealed by the Court. ITEM NO. SEVEN: The Court stated for the record that at the request of the petitioner, the attorney who was representing her proceeded to put a blue rod on the vehicle that is the subject of this inspection, and it was sealed by the Court at the request she made as the legal owner. ITEM NO. EIGHT: The Court stated for the record that according to a statement made by the subpoenaed party, the vehicle was towed in from the State of Portugal on a wrecker on the fifth (5th) day of August, two thousand (2000). ...........
ITEM NO. NINE: The Court stated for the record that the subpoenaed party said that no accessory or part of the vehicle that is the subject of this inspection has been changed. ITEM NO. TEN: The petitioner and the attorney representing her asked the Court to state for the record that there were other Ford Explorer trucks with obvious damage on the property on which it had been called into session, and a statement was placed on the record as to the tires on them and it was noted that the air bag on same had come out of the dashboard. In view of the foregoing, the Court agreed to her request and then stated for the record that four Ford trucks were noted on the property at which it had been called into session and these were described as follows: 1) truck, color: white, plates: BAL-66D; 2) truck, color: green, plates: JAF-46B; 3) Truck, color: silver, plates: JAE-74E; and 4) truck, color: Silver, plates: NAB-48M. The Court stated for the record that all of the trucks described above .........
had obvious damage to their bodywork, especially on the front driver's side, and that all of them
had Firestone ATX tires that were damaged, and it was noted that the air bag was out of the
dashboard on all of them. The Court, having fulfilled its mission, declared that the Judicial
Inspection was at an end and ordered its return to the courthouse at 11:00 a.m. That is all,
completed, read and signed by the undersigned, who are in agreement therewith.

JUDGE
(Signed) (Illegible)
(Two stamps)
REPUBLIC OF VENEZUELA
TWENTIETH MUNICIPAL COURT
(Spell)
IN AND FOR THE JUDICIAL DISTRICT
OF THE METROPOLITAN AREA OF CARACAS
(Signed) (Illegible)
Petitioner

Acting Clerk
(Signed) (Illegible)

Attorney for Petitioner
(Signed) (Illegible)

The Subpoenaed party
(Signed) (Illegible)

The Expert
(Signed) (Illegible)

(Partial stamp to left - illegible)
1974

Today, August 21, 2000, citizen Jaime Ernesto Flores Espinoza, holder of identity card No. V-14,275,332, very respectfully appeared before this Court in his capacity as Expert Photographer, in order to state: "I swear under oath that this matter is an emergency and I am setting aside all of the time needed in order to submit and process this assignment; in addition, I am also herewith delivering twenty-four (24) photographs taken during the Judicial Inspection conducted by this court on August 16, 2000. That is all."

Concluded, read and signed by the undersigned, who are in agreement therewith.

(Stamp - illegible)
(Signed) (Illegible) (Signed) (Illegible)
Acting Clerk The Appointee
1975

[Page EUS0077]:
(Hand written) Thirteen (13)
GENERAL VIEW OF THE VEHICLE
(Two photos)

[Page EUS0078]:
(Hand written) Fourteen (14)
LEFT FRONT WHEEL
(Two photos)

[Page EUS0079]:
(Hand written) Fifteen (15)
LEFT FRONT WHEEL
(Two photos)

[Page EUS0080]:
(Hand written) Sixteen (16)
LEFT REAR WHEEL
(Two photos)

[Page EUS0081]:
(Hand written) Seventeen (17)
LEFT REAR WHEEL
(photo)

[Page EUS0082]:
(Hand written) Eighteen (18)
RIGHT FRONT WHEEL
(Two photos)

[Page EUS0083]:
(Hand written) Nineteen (19)
RIGHT REAR WHEEL
(photo)
1976

[Page EUS0084]:
(Hand written) Twenty (20)
RIGHT REAR WHEEL
(Two photos)

[Page EUS0085]:
(Hand written) Twenty-One (21)
WHEEL LOCATED INSIDE THE TRUNK OF THE VEHICLE
(Two photos)

[Page EUS0086]:
(Hand written) Twenty-Two (22)
GENERAL VIEW OF THE SEALED VEHICLE
(photos)

[Page EUS0087]:
(Hand written) Twenty-Three (23)
GENERAL VIEW OF THE SEALED VEHICLE
(Two photos)

[Page EUS0088]:
(Hand written) Twenty-Four (24)
OTHER FORD TRUCKS LOCATED IN THE SAME PLACE
(Two photos)

[Page EUS0089]:
(Hand written) Twenty-Five (25)
OTHER FORD TRUCKS LOCATED IN THE SAME PLACE
(photos)

[Page EUS0090]:
(Hand written) Twenty-Six (26)
OTHER FORD TRUCKS LOCATED IN THE SAME PLACE
(photos)
... Today, August 31, 2000, personally appeared citizen Claudia Sofia Hoet, a citizen of Venezuela, of age, domiciled in this City, and holder of identity card No. 11,307,694, represented in this cause by attorney, Carlos G. Domínguez Hernández, registered with the Venezuelan Bar Association under No. 31491, who, in her capacity as the petitioner, very respectfully stated as follows: "I would ask this Court to be so kind as to deliver the petition filed on August 14, 2000. In this regard, I swear under oath that this matter is an emergency and I would ask the Court to be so kind as set aside all of the time needed to grant the requests filed in this cause. That is all." Completed, read and signed by the undersigned, who are in agreement therewith.

Acting Clerk
(Signed) (Illegible)

(Stamp)
REPUBLIC OF VENEZUELA
TWENTIETH MUNICIPAL COURT
(Seal)
IN AND FOR THE JUDICIAL DISTRICT
OF THE METROPOLITAN AREA OF CARACAS
(Signed) (Illegible)
Petitioner

Her Attorney
(Signed) (Illegible)

EUS 0091
Certificate of Accuracy

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

I, Vanessa Marie Havel, fluent in both Spanish and English, certify that the attached translation from Spanish into English of the Judicial Inspection, No. 5-389, dated August 14, 2000, concerning an inspection of the Ford Sport Wagon with plates numbered MAN-189, is accurate, true and complete, to the best of my knowledge, ability and belief.

Vanessa Havel
Miami, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE

Before me appeared Vanessa Havel, personally known to me to be the person signing this certification.

The foregoing instrument was acknowledged to and before me this 14th day of February, 2001.

Elena Rosado
Notary Public
State of Florida

[Seal] My commission expires: 1/19/03
1979

REPUBLICA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES
ARCHIVO

SOLICITANTE (S): Claudia Doña Host

MOTIVO: Inquisición Judicial

JUGADO: Vicepresidente de Municipio

FECHA ENTRADA: Día 14, Mes Agosto, Año 2000

FECHA DEVOLUCIÓN: Día, Mes, Año
Ciudadano
Juez Vigilante de Municipio de la Circunscripción Judicial del Área Metropolitana de Caracas.
Su despacho.

Yo, CLAUDIA SOFÍA HOET MACHADO, venezolana, mayor de edad, de este domicilio y titular de la Cédula de Identidad N° II1.307.694, asistida en este acto por el abogado Carlos Domínguez H., inscrito en el Inpresabogado bajo el N° 31.491, procediendo en mi propio nombre y en mi condición de legítima propietaria del vehículo suscrito de las siguientes características:

Placa: MAN-188, Serial de Carrocería: AJUVP21870, Serial del Motor: Y21870, Marca: Ford, Modelo: Sport Wagon, Año: 1997, Color Negro dos Tonos, Clase: Camineta, Uso Particular, caracterizar el acto que se evidencia de documento debidamente autenticado por ante la Notaría Pública Víctorina Novena del Municipio Libertador del Distrito Federal, en fecha once (11) de agosto de 2003, bajo el N° 33, tomo 78, el cual, ad ejercum videndo, presente al Tribunal y solicito me sea devuelto previa su certificación en autos, acudo ante usted en la presente oportunidad con el objeto de exponer:

Solicito al Tribunal se sirva escucharme y constituirse en el establecimiento denominado "Autoes y Parts", ubicado en el Municipio Baruta, Vía Maracay, Centro Industrial El Burzonte, Galpén N° 17, a objeto de que por vía de Ininspección Judicial deje constancia de los siguientes hechos y circunstancias:

PRIMERO: De la identificación de la persona jurídica en cuya sede se encuentra constituido el Tribunal.

SEGUNDO: De la identificación de la persona natural que para el momento de la práctica de la Ininspección se encuentra como encargado o responsable del establecimiento donde se encuentra constituido el Tribunal.

EUS0065
TERCERO: Que en el estacionamiento donde está constituido el Tribunal se encuentra depositado el vehículo automotor de mi propiedad anteriormente identificado.

CUARTO: De las condiciones en que se encuentra el vehículo automotor anteriormente identificado y de los datos que presenta.

QUINTO: Se dé constancia de los cauchos o neumáticos que posea el vehículo automotor, y se identifiquen los números, marca, modelo, características y condiciones.

SEXTO: Solicito, en mi condición de legítima propietaria, que los cauchos anteriormente identificados sean precintados por el tribunal, asegurándose que los mismos no puedan ser extrados de la carritera sin violar el precio que se coloque. Así mismo solicito se dé constancia del precio utilizado identificándose claramente.

SEPTIMO: Solicito, en mi condición de legítima propietaria, que el vehículo automotor anteriormente identificado sea cubierto y precintado por el tribunal, asegurándose que el mismo no pueda ser trasladado o manipulado sin violar el precio que se coloque. Así mismo solicito se dé constancia del precio utilizado identificándose claramente.

OCTAVO: Se dé constancia, según el decir del encargado o representante del local donde se encuentra constituido el Tribunal, o según documentación que exista, de la fecha en que llegó la camioneta anteriormente identificada a ese local del lugar de donde proviene y de cómo fue trasladada.

NOVENO: Se dé constancia, según el decir del encargado o representante del local donde se encuentra constituido el Tribunal, o según documentación que exista, si el vehículo automotor demorado le fue sustruido y cambiado algún accesorio o cualquier parte del mismo.

DÉCIMO: De cualquier otra circunstancia o particular que se solicite al momento de la práctica de la inspección.
1982

Solicitamos al Tribunal que a los efectos de la práctica de la presente Inspección Judicial y para poder dejar constancia gráfica de los hechos y circunstancias constatados, se designe fotógrafo que asista al Tribunal.

Por último y para cumplir la urgencia del caso y luego al Tribunal se sirva habilitar todo el tiempo necesario para la práctica de la presente Inspección y que una vez practicada la misma me sea devueltos en original con sus respectivas respuestas.

En Caracas, a la fecha de su presentación.

[Signature]

[Signature]
Habilidades como se encuentra el tiempo necesario para haber sido jurada la urgencia del caso por la parte solicitante y visto el escrito que antecede, este Tribunal acuerda de conformidad con lo solicitado en consecuencia fielo el 15 y Marzo a las 7:00 a.m. a día de llenar a cabo lo solicitado.

LA JULZ.

SECRETARIO
1984

El día de hoy, de hoy, dicen el día del boz -

ve (2.000), cuando los 9,84 y habilitar como

el encuentro en tiempo necesario, por haber

sido jurado la prueba del caso, por la

parte solicitante, al Tránsito, y se consti -

tuyó el Tribunal, a la siguiente dirección:

via Margarita, Centro Industrial 5 Barrio,

Alfonso 18, establecimientos auto y Pintos.

Municipio Barrio. Inmediatamente el Tribunal paso

en soli esto a designar fotógrafo el

antrópolo Juan Carlos Borja Espinoza, Titular

e la Dirección de Identidad N° 14.295.332, quien a

frente presentó el caso y recibió el presente de

fig, y quien pide al Tribunal de la cas

ente de ello el caso a fin de conocer las de

fotografías en este establecimiento el tribunal

cuando el consumado con la solicitud

y consta de ello el caso para que el mismo

asigne los firmas realizadas. Seguidamente

el Tribunal deja constancia que se mani -

puesta la solicitud y su observación

mente. Seguidamente se encarga presentar la

persona que hizo ser, y de manera tan lucida

Rodríguez, Titular de la Dirección de Identidad

Núm. 482, 429, y que el tribunal compare

la fecha misma y quien quedó encargado de el

firmado el acceso a dicho establecimiento le

día, tras el Tribunal para dejar constancia.
Por vía de inquisición judicial de lo particular, solicito:

Primero: El Tribunal hizo constancia que la persona jurídica en nombre de la que se incauta, pertenecía a la que se citó en la resolución y que se encuentra en el sistema de notificaciones y se encontraba en el acta de incautación.

Segundo: El tribunal hizo constancia que el vehículo, identificado como el de la empresa en el acta de incautación, pertenece a una persona que está en el sistema de notificaciones y que se encuentra en el acta de incautación.

Tercero: El tribunal hizo constancia de la identidad del propietario del vehículo, que se encuentra en el sistema de notificaciones y que se encuentra en el acta de incautación.

Cuarto: El tribunal hizo constancia de la identidad del propietario del vehículo, que se encuentra en el sistema de notificaciones y que se encuentra en el acta de incautación.

Quinto: El tribunal hizo constancia de la identidad del propietario del vehículo, que se encuentra en el sistema de notificaciones y que se encuentra en el acta de incautación.
constancia que el vehículo objeto de la inspección es un camión marca Ford, con un modelo Radial 7X y un modelo Wilderness AT, todos con el serial P235475.

R/5, y en muy mal estado. El camión del lado del conductor sin bandera de rotación, el camión, según el dictamen del notificado en el momento en la parte frontal del otro lado, tiene el vino Taal, embutido y el cañón roto y rajado, y los tambores, en mal estado y desgastado. Dicho: El tribunal deja constancia que según el pedido de la solicitante, los maestros, en el dictamen, se presentan por el tribunal ante el tribunal de la solicitud, se habría pedido que se encontrase un bueno y regular, o, el vehículo objeto de la inspección, sea presentado por el tribunal según la solicitud se haya presentado como legítimo y procedente. Aclarar el tribunal deja constancia que según el dictamen del notificado, el vehículo llegó a fecha cinco (5) de agosto del dos mil (2000), en que se presentó del Estado Político.
No se proporciona un párrafo legible y coherente. Se requiere una revisión y análisis exhaustivo del contenido escrito para proporcionar una representación natural de este documento.
1988

...cuestiones, presentan dicho evidente en la
...en el caso del conductor, que están bien causado
...la "air bag" al encuentro de
...cumplido como ha sido la
...por lo tanto, declara condenado la
...convocada a las 17:00. Es tal, terminado.
1989

En el día de hoy 21 de agosto de 2000, comparece ante este Tribunal el ciudadano Jaime Ernesto Flores Espinosa, titular de la cédula de identidad v-14.275.332, quien en su carácter de Experto Fotógrafo, ocurre muy respetuosamente a los fines de exponer lo siguiente: "Juro la urgencia del caso y habilito todo el tiempo necesario a los efectos de la presentación y tramitación de la presente diligencia, así mismo, consigno en este acto veinte y cuatro (24) impresiones fotográficas tomadas durante la Inspección Judicial llevada a cabo por este juzgado, en fecha 16/08/2000. Es todo."

Terminó, se leyó y conformes firman.

El Diligenciante

EUS0076
1990

Vista general del vehículo
1992

RUEDA DELANTERA IZQUIERDA
1993

RUEDA TRASERA IZQUIERDA

![Image of a rear left wheel on a vehicle.]
1995

RUEDA DELANTERA DERECHA
Rueda ubicada en el interior de la maleta del vehículo.
1999

Vista general del vehículo presentado.
Vista general del vehículo precintado.
Otras camionetas Ford ubicadas en el mismo lugar.
Otras camionetas Ford ubicadas en el mismo lugar.
Otras camionetas Ford ubicadas en el mismo lugar.
... En el día de hoy 31 de agosto de 2000, con
poder la curulmana Blanca Sofía Hoet, vin-
dizam, mayor de edad, de este domicilio y
 titular de la licencia de identidad N° 11.307.649,
asistió en este acto por el abogado Carlos G.
Dominguez Hernandez, cirviento en el Instituto de
Premios Sociales del Abogado (IPRE1865828), bajo
el N° 3391, quien en su calidad de solicitante,
0 recurso muy expresamente a lo firmar de expo-
ner lo siguiente: “Solicito a este tribunal se
firma entregan la solicitud efectuada en fe-
cha 17 de agosto de 2000. En tal sentido, juró
la regular del caso y se cumplió al tribunal
el mismo habilita todo el tiempo necesario pa-
ra proveer sobre la petición efectuada en la
resuelve diligencia. Lo hizo. Terminó, se dijo
y firmaron firmara.

El Señor

[Signature]

Dra. de Leguizamo

[Signature]

El Abogado Presidente

[Signature]
2005

REPUBLICA BOLIVARIANA DE VENEZUELA

PODER JUDICIAL
JURISDICCIÓN CIVIL
SOLICITUDES

ARCHIVO

ARMANDO J. FLANCHART, H.

SOLICITANTE(S)

MOTIVO: INSEPECCIÓN JUDICIAL

JUZGADO: DECIMO OCTAVO DE MUNICIPIO DE LA CIRCUNSCRIPCIÓN JUDICIAL
DEL AIREAMETROPOLITANA DE CARACAS.

FECHA DE ENTRADA Día 25 Mes AGOSTO Año 2000

FECHA DEVOLUCION: Día __________ Mes __________ Año __________
Ciudadana
Juez Décimo Octavo de Municipio
de la Circunscripción Judicial del Área Metropolitana de Caracas
Su Despacho -

Yo, ARMANDO J. PLANCHANT M., venezolano, mayor de edad, abogado en ejercicio, domiciliado en Caracas, titular de la cédula de identidad N° 5.220.985 e inscrito en el Instituto de Previsión Social del Abogado bajo el N° 25.104, ante usted respetuosamente ocurro con el fin de exponer y solicitar lo siguiente:

Para fines legales que me interesan, solicito respetuosamente al Tribunal, de conformidad con lo establecido en los artículos 936 y 938 del Código de Procedimiento Civil, en concordancia con el artículo 1429 del Código Civil, se sirva trasladar y constituir en el lugar donde funciona un taller mecánico denominado "Servicio Ruggiero" en la siguiente dirección: Avenida Andrés Bello, Calle Sánchez, Caracas; a fin de dejar constancia, por vía de Inspección Ocular, de lo siguiente enunciado:

PRIMERO: De la presencia en el lugar donde se encuentra constituido el Tribunal, de un vehículo Marca: Ford, Modelo: Explorer y el Tipo, Color y Placas, que presenta el vehículo inspeccionado.

SEGUNDO: Que el vehículo antes identificado tiene cada caucho instalado en cada uno de sus rines.

TERCERO: De la marca, tipo y serial de cada uno de los cauchos instalados en cada uno de los rines del vehículo inspeccionado.

CUARTO: De las condiciones generales de los cauchos instalados en cada uno de los rines del vehículo inspeccionado y su banda de rodamiento.

QUINTO: De las condiciones generales en que se encuentra la carrocería del vehículo inspeccionado.

SEXTO: De cualquier otro hecho o circunstancia que expresamente me reserve señalar al Tribunal al momento de practicarse la Inspección Ocular solicitada.

De conformidad con lo establecido en el artículo 473 del Código de Procedimiento
Civil, solicito respetuosamente a este Tribunal que haga asistir de un práctico mecánico a los fines de la práctica de la Inspección Ocular que aquí se solicita. Igualmente, de conformidad con lo establecido en el artículo 475 del Código de Procedimiento Civil, en concordancia con lo dispuesto en el artículo 502 epígeno, solicito que al momento de llevarse a cabo dicha Inspección Ocular se ordene la reproducción fotográfica del vehículo inspeccionado y de cualquier otro hecho que expresamente me reservo señalar en la oportunidad de llevarse a cabo la Inspección Ocular solicitada. A estos efectos, solicito respetuosamente a este Tribunal se sirva designar un práctico fotógrafo para la obtención de dichas fotografías y que las mismas sean agregadas al acta que se levante con ocasión de la práctica de la Inspección Ocular a fin de que formen parte integrante de la misma.

Finalmente, solicito respetuosamente a este Tribunal se sirva habilitar todo el tiempo que sea necesario a los fines de acordar y practicar las actuaciones aquí solicitadas, para lo cual juro la urgencia del caso. Igualmente pido que, evacuada como sea la presente solicitud, me sea devuelta en original con sus resultados.

Es gracia que espero, en Caracas, a la fecha de su presentación.

[signature]

Por el que solicita el Escritura constante de

Presentado por su(s) Abogado(s) a la hs. 10:00

del día 25-08-2000

[signature]
Por recibida la presente solicitud, désele entrada y fiel cumplimiento previa la habilitación del tiempo necesario. En consecuencia para la práctica de la INSPECCION JUDICIAL solicitada, el Tribunal fija las 4:45 p.m. del día 25-8-2008 y ordena su traslado y constitución en el lugar indicado, habilitándose para ello todo el tiempo que fuere necesario, y una vez cumplida la misma devuélvase original con sus resultas al solicitante.-

LA JUEZ.

JANETH C. COLINA PÉREZ

LA SECRETARIA,

OLGA RODRIGUES
El camino fue señalado con un coche negro, y se llenó con letras blancas al frente. "Frederic Wilhelmson" y "6006703". El coche fue alineado en la parte derecha del camino y se llenó con letras blancas al frente. Las letras blancas al frente "Frederic Wilhelmson" y "6006703" se llenaron en la parte inferior del camino en los 21 caracteres.
2013

En horas de despacho del día de hoy, veintinueve (29) de agosto de dos mil (2000), comparece ante este Tribunal ANDRÉS F. LÁREZ, venezolano, mayor de edad, domiciliado en Caracas, titular de la Cédula de Identidad No. 12.950.018, en su carácter de Práctico Fotógrafo designado por este Tribunal, quien expone: "Consigno en este acto, marcada con letra "A", el revelado de las fotografías tomadas en fecha 25 de agosto de 2000 en el lugar donde funciona el taller mecánico denominado "Servicio Ruggerio" ubicado en la Avenida Andraí Bello, Calle Sánchez, Caracas, las cuales son objeto de la presente Inspección Judicial, a fin de que surtan los efectos legales correspondientes. Es toda". Terminó, se leyó y conforme firmó.

LA SECRETARIA.

EL DILIGENCIANTE.
JURISDICCIÓN CIVIL

SOLICITUDES

ARCHIVO

SOLICITANTE:
Mateo Rodríguez de Albers

MOTIVO: Injerencia Judicial

JUZGADO: Vienor de la Municipalidad de Valenciana

FECHA DE ENTRADA: Día 05 Mes Febrero Año 2000

FECHA DEVOLUCIÓN: Día ______ Mes ______ Año ______
CA-98 No 04540086

CAJADO:

SIRIE PRIMERO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS
GUYOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCION
JUDICIAL DEL ESTADO CARABOBO

Su Despacho:

Yo. MILAGROS PEDRÍQUE DE ALBERS, venezolana, mayor de edad,
viuda, titular de la cédula de identidad N° 9.504.189, debidamente autorizada en
este acto por el Abogado LEONARDO GARCIA FLORES, titular de la cédula
de identidad N° 7.128.817, inscrito en el Instituto de Prerretiramiento del
Abogado bajo el N° 7.450, procediendo en mi propio nombre y por mis
propios derechos, ante su competente autoridad pongo para exponer Sosteniendo
a este Tribunal se sirva trasladar y constituirse en el establecimiento
denominado "NUEVOS HORIZONTES J.R. S.A., C.A.", ubicado en la
Avenida Bolivar Norte, No 122-41, al lado del Rectrano, en esta ciudad de
Valencia, Estado Carabobo, a objeto de que por vía de Inspección Judicial de la
convenida constancia de los siguientes hechos y circunstancias:

PRIMERO: De la identificación de la persona jurídica en cuya sede se encuentra constituido el Tribunal.

SEGUNDO: De la identificación de la persona natural que para el momento de la puesta en marcha de la Inspección se encuentre como encargada o responsable del establecimiento donde se encuentra constituido el Tribunal.

TERCERO: Que en el establecimiento donde está constituido el Tribunal se encuentra depositado el vehículo automotor con las siguientes características:

marks: Ford; modelo: Explorer 748 Sport Wagon; año: 1998; placa:
50775, serial de motor: WJ8-353; serial de carrocería:
003526; color: blanco; clases: comerciales; uso: particular.

CUARTO: De las condiciones en que se encuentra el vehículo automotor conforme a derecho, para lo cual pongo a disposición del Tribunal, que informe técnicamente de las condiciones en que se encuentra.

PAM037
QUINTO: Se debe constancia de los cauchos que posee el vehículo, su autónomo, y se identifican los seriales, marca, modelo, características, condiciones.

SEXTO: Solicito que los cauchos anteriormente identificados sean presentados por el Tribunal, asegurándose que los mismos no puedan ser extraídos del camión o sin violar el precio que se coloque. Así mismo se deje constancia del precio utilizado, identificándose claramente.

SEPTIMO: Solicito que el vehículo anteriormente identificado sea rubricado, presentado por el Tribunal, asegurándose que el mismo no pueda ser trasladado o manipulado sin violar el precio que se coloque. Así mismo se deje constancia del precio utilizado, identificándose claramente.

OCTAVO: Se deje constancia, según el decir del encargado o representante del local donde se encuentra constituido el Tribunal, de la fecha en que llegó la camioneta anteriormente identificada a ese local, del lugar de donde proviene y cómo fue trasladada.

NOVENO: Se deje constancia, según el decir del encargado o representante del local donde se encuentra constituido el Tribunal, si el vehículo anteriormente descripto fue sustruido y cambiado algún accesorio o cualquier parte.

DÉCIMO: De cualquier otra circunstancia o particular que se solicite momento de la práctica de la inspección.

Solicitémos al Tribunal que a los efectos de la práctica de la presente Inspección Judicial y para poder estar constancia crítica de los hechos y circunstancias constatados, se destine prático fotógrafo que asista al Tribunal.

Por último, bajo la urgencia del caso, y ruego al Tribunal se sirva habilitar todo el tiempo necesario para la práctica de la presente Inspección, y que una vez practicada la misma me sea devuelta en original con sus respectivas resoluciones.

En Valencia, a la fecha de su presentación.

[Signature]

PAL0038
2025

2025
2029

...
Cuidadoso

JUEZ PRIMERO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR, LOS CHAVOS, NAGUANAGUA Y SAN DIEGO DE LA CIRCUNSCRIPCIÓN JUDICIAL DEL ESTADO CARABOBO.

Su Despacho.

Yo, HÉCTOR MERCAZ MEDINA, venezolano, mayor de edad, titular de la cédula de identidad No. 11.346.182, ante su competente autoridad ocurro a los fines de consignar Cuarenta (40) fotografías, en 15 folios útiles, correspondientes a la inspección judicial realizada en fecha 05 de Septiembre del año en curso; dando así cumplimiento a la labor encomendada.

En Valencia, a la fecha de su presentación.

[Signature]

[Seal]

PALDO
Decreto primero de los municipios Valencia, Libertador, los Guayos, San Diego y Naguanagua de la circunscripción judicial del estado Carabobo.

Valencia, 06 de septiembre del 2.000
1905 y 1416

Visto el anterior escrito presentado por el ciudadano Héctor Paredes Medina, en su carácter de "motivado originado", por el cual consigna las fotografías tomadas con motivo de la inspección realizada en fechas de los corrientes. Añade que no se ha recibido el pago del cargo.

La Secretaria.

Se copia.
PACO PRIMERO DE LOS MUNICIPIOS VALENCIA, LIBERTADOR,
LOS BULTOS, SAN DIEGO Y MARQUIS DE LA CIRCUITAS.
JUDICIAL DEL ESTADO CARACAS.

Valencia, 26 de Septiembre del 2.000
1906 y 1416

Visto el anterior escrito presentado por el
ciudadano HECTOR MERCADO MEDINA, en su carácter de
fotógrafo pensionado, por el cual comunica las
fotografías tomadas con motivo de la inspección
realizadas en fecha 01 de los corrientes. Aprecuese a
la autoridad el supuesto.

LA SECRETARIA,

De acuerdo...
SOLICITANTE(S): 

MOTIVO: 

JUZGADO: 

FECHA DE ENTRADA: Día 03, Mes 01, Año 2000

FECHA DEVOLUCIÓN: Día ______, Mes _________, Año _______
Ciudadana
Juez Décimo de Municipio de la Circunscripción Judicial
del Área Metropolitana de Caracas.
Su Despacho -
Yo, IVAN ENRIQUE ROJAS LOYNAZ, venezolano, mayor de edad, domiciliado en Caracas, abogado en ejercicio, titular de la cédula de identidad Nº 6 049 138 e inscrito ante el Instituto de Previsión Social del Abogado bajo el Nº 62 739, procediendo en este acto en mi propio nombre ante usted de conformidad con lo montado en el artículo 1 429 del Código Civil, en concordancia con lo establecido en el Libro Segundo, Sección 4°.
Capítulo VII, último aparte del artículo 472 del Código de Procedimiento Civil, con todo respeto ocurre para solicitar el traslado y constitución del Tribunal en el Estacionamiento OLSALBIL, ubicado en la urbanización Las Mayas, Sector Coche, Municipio Libertador, Distrito Federal, Caracas; para que por vía de Inspección Ocular se sirva dejar constancia de las personas, objetos, cosas, lugares, bienes y documentos a que se refieren los siguientes particulares:

PRIMERO: Que en el lugar en donde está constituido el Tribunal, se encuentra un vehículo estacionado Marca: FORD, Modelo: EXPLORER, Color: GRIS PLOMO, Placas: AAR 521D. De igual forma dejar expresa constancia del serial del motor, carrocería, y cualesquiera otros datos que permitan una mayor identificación del vehículo objeto de Inspección.
SEGUNDO: Que el vehículo antes identificado tiene instalados los cauchos en cada uno de sus rines.
TERCERO: De las condiciones generales de los cauchos colocados en cada uno de los rines del vehículo inspeccionado y de su banda de rodamiento.
CUARTO. Igualmente, me reservo el derecho de dejar expresa constancia de cualquier otro hecho o circunstancia que, como solicitante, considere conveniente o necesario al momento de la práctica de esta solicitud.

Asimismo, de conformidad con los artículos 472 y 475 del Código de Procedimiento Civil, en concordancia con lo previsto en el artículo 502 exequión, se ordene la reproducción fotográfica del vehículo, cauchos, rines, bandas de rodamiento y demás objetos y cosas que expresamente me reserva señalar, al momento mismo de la práctica de esta Inspección Ocular. Para los fines anteriormente indicados, pido al Tribunal se sirva designar un práctico fotógrafo y un práctico mecánico para que le asistan al momento de la evacuación de la presente Inspección.

Solicito respetuosamente a este Tribunal se sirva dejar expresa constancia, de que las fotografías tomadas al momento de la práctica de la Inspección fueron realizadas en su presencia, y que por lo tanto, sean consideradas como reproducciones fíceas y exactas de los hechos presenciados, para lo cual solicito expresamente que dichas fotografías sean agregadas a esta Inspección Ocular con la finalidad de que formen parte integrante e inseparable de la misma.

Finalmente, a los fines de la evacuación de la Inspección Ocular aquí solicitada, juro la urgencia del caso, y a tal efecto pido al Tribunal se sirva habilitar todo el tiempo que fuera necesario para la admisión y evacuación de la solicitud contenida en este documento. De igual forma, solicito de la ciudadana Juez se sirva devolverme en original la presente Inspección con sus resultados, una vez que haya sido evacuada.

Es Justicia. En Caracas, a la fecha de su presentación.
No el caso de ley 3 de octubre de 2000
(permitiendo a mejorar el marco legal).

Bueno, la 3:30 PM 50, tendrá 50, que si uno, esto es un ejemplo

del problema que está sucediendo.

Chiquito en 5, más a estar cerca, Ma-

ningo también, vuelve el martes proximo.

Debajo de un decimetro, no se podrán

llevando el cabello, aunque le fuese

un bastante de largo, cabrigo, igual

del descorazonamiento, el queso el hu-

tual interesa no ser propuesto y permite el

mismo el pasado de los inundaciones de.

especialmente en el futuro, pleno el cabo de

hayal en el mismo desembarco.

Carnaval, el libro: Mao, (nombrado Korda)

XLI 5, sueldo, señal del metro 150,105, 641, 100

305, 9F, 971F, 9930, PR, 1,000, AAA: 53 D

Cabe que blame, con el de Carabobo 2,087,018

263, S5, 550,000, el incluyendo bueno, Cabo

Cavea que hizo el incluyendo incluyendo en

la personalidad, pero no incluyendo su

inclusión cuando uno se independice el

ren (9). En este caso, el incluyendo bajo

do al ciudadanía como más propuesto al

conciertoensor, no, solo, desde donde de la

cédula no aplicable, ni 1.152,250, y cerca.
Esa situación está determinada por el hecho de que los maestros de los barcos están en el centro del escenario, en el centro del mundo, y los estudiantes están en el centro del escenario, en el centro del mundo.

El maestro enseña, el alumno aprende.

Los estudiantes siguen las directrices del maestro.

La situación es similar en el mundo académico, donde los maestros enseñan y los estudiantes aprenden.

En el centro del escenario, en el centro del mundo, los maestros enseñan y los estudiantes aprenden.

La situación es similar en el mundo académico, donde los maestros enseñan y los estudiantes aprenden.

En el centro del escenario, en el centro del mundo, los maestros enseñan y los estudiantes aprenden.

La situación es similar en el mundo académico, donde los maestros enseñan y los estudiantes aprenden.
En horas de despacho del día de hoy, seis (06) de octubre de dos mil (2000), comparece por ante este Tribunal ANDRÉS F. LÁREZ, venezolano, mayor de edad, domiciliado en Caracas, titular de la Cédula de Identidad No. 12.950.018, en su carácter de Práctico Fotógrafo designado por este Tribunal, quien expone: “Consigno en este acto, marcado con letra “A”, el revelado de las fotografías tomadas en fecha 03 de octubre de 2000 en el lugar donde funciona el Estacionamiento denominado OLSALBIL, ubicado en la urbanización Las Mayas, sector Coche Municipio Libertador, Distrito Federal, las cuales son objeto de la presente Inspección Judicial, a fin de que surtan los efectos legales correspondientes. Es todo”. Terminó, se leyó y conforme firman.

LA SECRETARIA.

EL DILIGENCIANTE.